

# **CITY OF LAREDO**

**CITY COUNCIL MEETING**

**A-2004-R-07**

**CITY COUNCIL CHAMBERS**

**1110 HOUSTON STREET**

**LAREDO, TEXAS 78040**

**APRIL 19, 2004**

**5:30 P.M.**



## **DISABILITY ACCESS STATEMENT**



Persons with disabilities who plan to attend this meeting and who may need auxiliary aid or services are requested to contact Gustavo Guevara, City Secretary at (956) 791-7308 at least two working days prior to the meeting so that appropriate arrangements can be made. The accessible entrance and accessible parking spaces are located at City Hall, 1100 Victoria Ave.

Out of consideration for all attendees of the City Council meetings, please turn off all cellular phones and pagers, or place on inaudible signal. Thank you for your consideration.

### **I. CALL TO ORDER**

### **II. PLEDGE OF ALLEGIANCE**

### **III. ROLL CALL**

### **IV. MINUTES**

### **V. COMMUNICATIONS AND RECOGNITIONS**

**Announcements**

**Invitations**

**Recognitions**

**Communiqués**

### **VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES**

a. Appointment by Council Member Juan Ramirez of Ricardo Tenorio to the Ad Hoc Vehicles for Hire Committee.

b. Appointment by Council Member Juan Ramirez of Alberto Martinez to the Telecommunications Committee.

## **VII. PUBLIC HEARINGS**

1. **Public hearing and introductory ordinance** amending Section 24-94, of the Laredo Land Development Code, in order to revise the established standards and procedures governing the issuance of Conditional Use Permits; providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed ordinance amendment.
2. **Public hearing and introductory ordinance** amending the Zoning Ordinance Map of the City of Laredo by amending Ordinance No. 2002-O-058 authorizing the issuance of a Conditional Use Permit to David Richter for a concrete batch plant on 5.00 acres, as further described by metes and bounds on attached Exhibit "A" located on the west side of Highway 83 and north of Masterson Road, by extending the terms of the permit two (2) more years; providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the Conditional Use Permit.
3. **Public hearing and introductory ordinance** amending the Zoning Ordinance Map of the City of Laredo by authorizing the issuance of a Conditional Use Permit for a bar on Lot 1, Block 5, Del Mar Village Subdivision, located at 120 West Village Boulevard; providing for publication and effective date. The Planning and Zoning Commission has recommended denial of the proposed Conditional Use Permit.
4. **Public hearing and introductory ordinance** amending the Zoning Ordinance Map of the City of Laredo by rezoning 13.18 acres, as further described by metes and bounds on attached Exhibit "A," located northeast of Havana Drive from AG (Agricultural District) to R-1 (Single Family Residential District); providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed zone change.
5. **Public hearing and introductory ordinance** amending the Zoning Ordinance Map of the City of Laredo by rezoning Lot 4, Block 1, Summerwind Subdivision, Unit 1, located north of Jacaman Road and east of Bartlett Avenue, from R-1 (Single Family Residential District) to B-3 (Community Business District); providing for publication and effective date. The Planning and Zoning Commission has recommended denial of the proposed zone change.
6. **Public hearing and introductory ordinance** amending the Zoning Ordinance Map of the City of Laredo by rezoning 2.07 acres, as further described by metes and bounds on attached Exhibit "A," approximately located south of Southgate Boulevard and east of Highway 83 from AG

(Agricultural District) to B-3 (Community Business District); providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed zone change.

7. **Public hearing and introductory ordinance** authorizing the City Manager to amend City of Laredo's FY 2003-2004 annual budget in the amount of \$1,250,000.00 to fund a program under U.S. Department of Justice, Office of Community Oriented Policing Services (COPS). The U.S. Department of Justice will be designating \$1,250,000.00 and City of Laredo will be designating \$369,250.00 in matching funds within the three-year life of the grant. Funding will be used to hire 10 additional School Resource Officers (SRO). The funding for this grant will be from September 1, 2002 through August 31, 2005. The City of Laredo 2003-2004 Full Time Equivalents will be amended by the addition of 10 Grade 71 Cadet Police Officers.
8. **Public hearing and introductory ordinance** amending the City of Laredo FY 2003-2004 Capital Improvement Project Fund budget by appropriating revenues and expenditures in the amount of \$12,660.00 for the school flasher/beacon program. Revenues consists of contributions from Laredo Independent School District (LISD) in the amount \$3,165.00 and United Independent School District (UISD) in the amount of \$9,495.00.
9. **Public hearing and introductory ordinance** establishing a 15% penalty on the 2003 delinquent tax accounts as of July 1, 2004; to defray costs of collection pursuant to section 33.07 (a) of the Texas State Property Tax Code; providing for publication and effective date.
10. **Public hearing and introductory ordinance** authorizing the City Manager to execute a two (2) year lease agreement between the City of Laredo and the Laredo Amateur Boxing Club, Inc., for use of the "Orlando and Gaby Canizales Boxing Gym" located at 1610 Guadalupe Street, as described on attached Exhibit "A," for an annual rent fee of \$1.00; and providing for an effective date.
11. **Public hearing and introductory ordinance** amending the City of Laredo FY 2003-2004 annual budget by decreasing revenues and expenditures in the amount of \$15,479.00 to reflect the actual grant amount of \$28,053.00 from the Texas Department of Health for the Texas-Tamaulipas Border States Birth Defects Project: Neural Tube Defects (NTD) Pilot Project in Los Dos Laredos of the City of Laredo Health Department for the period beginning April 1, 2004, through August 31, 2004; and authorizing the City Manager to amend the City of Laredo's FY 2003-2004 Full-Time Equivalent Position by including .27 Health Educator position.
12. **Public hearing and introductory ordinance** amending the City of Laredo FY 2003-2004 annual budget by increasing revenues and expenditures in

the amount for the \$20,000.00 from the Texas Department of Health for the Office of Border Health: Buena Vida Project of the City of Laredo Health Department for the period beginning April 1, 2004, through August 31, 2004.

13. **Public hearing and introductory ordinance** amending the City of Laredo FY 2003-2004 annual budget by increasing revenues and expenditures in the amount of \$4,995.00 in additional funds from the Texas Department of Health for the Office of Border Health: HIV Awareness Project of the City of Laredo Health Department for the period beginning April 1, 2004, through August 31, 2004.
14. **Public hearing and introductory ordinance** amending the City of Laredo FY 2003-2004 annual budget by increasing revenues and expenditures in the amount of \$3,500.00 in additional funds from the Texas Department of Health for the Office of Border Health: Environmental Epidemiological Study Project of the City of Laredo Health Department for the period beginning April 1, 2004, through August 31, 2004.
15. **Public hearing and introductory ordinance** amending the City of Laredo FY 2003-2004 annual budget by increasing revenues and expenditures in the amount of \$2,000.00 from the Texas Department of Health for the Office of Border Health: Tuberculosis Directly Observed Therapy (DOT) Project of the City of Laredo Health Department for the period beginning April 1, 2004, through August 31, 2004.
16. **Public hearing and introductory ordinance** amending the City of Laredo FY 2003-2004 Recreation Fund annual budget by appropriating revenues and expenditures in the amount of \$15,000.00 for the administration of recreation programs and authorizing the City Manager to implement said budget amendment.
17. **Public hearing and introductory ordinance** amending the City of Laredo FY 2003-2004 Noise Abatement and Airport Construction Funds to recognize additional revenues from two grants received from the Federal Aviation Administration Airport Improvement Program being Grant Project No. 3-48-0136-40-04 in the amount of \$6,000,000.00 for acquisition of residential structures, sound insulate residences and acquire navigation easements; and Grant Project No. 3-48-0136-41-2003 in the amount of \$4,276,134.00 for construction of Engineered Materials Arresting System for Runway 35L, rehabilitate portion of Taxiway System and construct cargo pads at the Laredo International Airport; and appropriating said grant revenue in the Noise Abatement and Airport Construction Funds and local match in the amount of \$540,850.00 from the Airport opening fund balance to the appropriate expenditure accounts; and authorizing the City Manager to implement said budget amendment.

18. **Public hearing and introductory ordinance** authorizing the City Manager to execute a one (1) year lease agreement between the City of Laredo Parks and Recreation Department and "Escuela de Futbol Soccer America's Laredo" for use of two (2) soccer fields at the southern area of Father McNaboe Park formerly known as River Oaks Park for a fee of \$200.00 per month plus the cost of utilities. The primary purpose of this agreement is to institute a soccer program for the youth of Laredo with the understanding that the fields are open for public use during non-programs hours.
19. **Public hearing and introductory ordinance** accepting a grant and amending the City of Laredo FY 2003-2004 budget by decreasing revenues and expenses in the amount of \$16,454.00 to reflect the actual grant amount of \$637,267.00 awarded by the Office of the National Drug Control Policy (ONDCP) High Intensity Drug Trafficking Area (HIDTA), at no cost to the city, to fund the Laredo Financial Task Force. Funds will be used to pay personnel salaries, travel and operational expenses from January 1, 2004 through December 31, 2004. Accepting a grant and amending the City of Laredo FY 2003-2004 budget by increasing revenues and expenses in the amount of \$49,916.00 to reflect the actual grant amount of \$99,916.00 awarded by the Office of the National Drug Control Policy (ONDCP) High Intensity Drug Trafficking Area (HIDTA), at no cost to the City, to fund the STX Multi-Agency Drug Related Corruption Task Force. Funds will be used to pay overtime, fringe benefits and operational expenses from January 1, 2004 through December 31, 2004.

(Recess)  
(Press Availability)

#### **VIII. FINAL READING OF ORDINANCES**

20.

- |            |   |
|------------|---|
| 2004-O-083 | Amending the Zoning Ordinance Map of the City of Laredo by authorizing the issuance of a Conditional Use Permit for a used car lot on Lot 4, Block 236, Western Division, located at 1309 San Dario Avenue; providing for publication and effective date. |
| 2004-O-084 | Authorizing the City Manager to accept a grant in the amount of \$10,000.00 from the Texas Department of Transportation for the enforcement of the seat belt law and authorizing  |

the City Manager to decrease the City of Laredo's FY 03-04 annual budget in the amount of \$22,500.00. This grant is for overtime salaries and is funded 100% by the Texas Department of Transportation.

2004-O-085      Authorizing the City Manager to amend the 2003-2004 annual budget in the amount of \$5,208.00 for the Laredo Multi-Agency Narcotics Task Force to be used for vehicle maintenance and wrecker fees. The use of program income was approved by the Office of the Governor Criminal Justice Division through a grant adjustment dated March 19, 2004.

2004-O-086      Public hearing and introductory ordinance authorizing the City Manager to amend the Transit Capital grants budget by appropriating \$322,592.00 as a local match, for the Texas Department of Transportation Vehicle Capital Replacement (VCR) Grant in the amount of \$610,300.00 for the purchase of three 35 feet CNG buses to total \$932,892.00; and reaffirming the City of Laredo intent to participate in the State VCR Program.

## **IX. RESOLUTIONS**

21. **2004-R-035** Authorizing the City Manager to submit a grant application to the Texas Automobile Prevention Authority to fund the Laredo Auto Theft Task Force for the period of September 1, 2004 through August 31, 2005.
22. **2004-R-037** Authorizing the city manager to sign an earnest money contract with David Slaughter, Sheila Glassford and Slaughter Properties, LTD., for purchase of 18 blocks and parts of 6 blocks, as shown on exhibit 1 [the greater part of the Slaughter Farm for the following consideration from the City:
  1. Cash in amount of \$2,500,000.00;
  2. Title insurance up to \$14,000.00;
  3. Fencing improvements at estimated value of \$218,912.50;
  4. Street improvements at estimated value of up to \$90,493.75;
  5. Conveyance of the City's mineral interest in the platted streets in the area being acquired and in the area being retained by sellers; and
  6. Conveyance of the surface of certain street sections in the area being retained by sellers.

## **X. MOTIONS**

23. Consideration to award contract FY 03-125 to Carolyn Arnold Communications Consultant (CACC), Inc., Boerne, Texas, for conducting a telephone inventory and audit; and authorizing the City Manager to sign all contract documents.
  - a. This firm will conduct a physical inventory of city phone service and telephone bill audit will be performed to include assessment of charges for services being billed by voice and data providers. This is a contingency contract in which this vendor is compensated only after a refund has been received by the City of Laredo based on this audit. The compensation will be 45% of the savings incurred by each recommendation accepted by the City of Laredo to reduce telephone expenses for a twelve-month period.
24. Consideration for approval to award an engineering contract in the amount not to exceed \$29,900.00 to Arcadis, Laredo, Texas, for the Water Park Feasibility Phase II. Funding is available in the Capital Improvement Projects Fund-Water Park Study.
25. Approving that the Laredo International Airport enter into a Gold Sponsorship contract with the Ms. Texas USA Pageant in the amount of \$50,000.00. Funding is available in the FY 04 Airport Budget under the Small Communities Air Service Development Program.
26. Authorizing the City Manager to amend Club Olympia's third party funding contract Section 4 and Section 5, which requires quarterly reimbursement and allowing a one-time payment for services provided. Club Olympia's activities take place during May, June, July, and August.
27. Consideration to award contract FY04-052 to the low bidder, G.T. Distributors, Inc., Austin, Texas, in the estimated amount of \$45,599.24 for the purchase of new holsters for the Police Department. Funding is available in the Police Department budget.
  - a. All current duty holsters will be replaced with Level III holsters that provide greater protection from unauthorized removal of the service pistol.
28. Consideration to award contract FY04-046 to the low bidder, G.T. Distributors, Austin, Texas, in the amount of \$79,500.65 for the purchase of 225 new SIG Sauer pistols for the Police Department. Funding is available in the Police Trust Fund.
  - a. The contract includes a trade in allowance for 185 duty pistols that will be replaced.

29. Consideration to authorize the City Manager to submit a grant application to the U.S. Department of Justice (USDOJ) for an interoperable voice communication and information sharing system. The amount requested from the U.S. Department of Justice will be \$4,000,000.00 and the City's cash match will be (25%) of the total award.
30. Consideration to reject the sole bid received for contract FY04-066 from Wirtgen America, Antioch, TN, for the purchase of a pavement profiler (milling machine).
  - a. The bid submitted by the vendor exceeded the funds allocated for this equipment. The bid specifications will be modified and new bids solicited.
31. Consideration to award contract number FY 04-069 to the low bidder, JJJ International Safety Equipment, Laredo, Texas, in the estimated amount of \$25,000.00 for providing powdered electrolyte replacement drinks (Sqwincher) for City service crews. Funding is available in the following budgets: Public Works, Solid Waste, Fleet Maintenance, Traffic Safety, Engineering, Risk, and Parks and Recreation.
  - a. Electrolyte replacement drinks are purchased on an as needed basis during the summer months for the service crews to prevent dehydration. The contract pricing is approximately 7% less than previous contract period.
32. Consideration to award contract FY04-049 to the lowest bidder meeting specifications, Laurel Battery, Laredo, Texas, in the estimated annual amount of \$29,642.70 for providing automotive batteries for the City's fleet. Funding is available in the Fleet Maintenance budget.
  - a. This contract will be for a period of one year. Since no battery inventory is maintained at the maintenance facility, all batteries are purchased on an as needed basis. The City received lower bids from another vendor; however, batteries proposed by this vendor did not meet the minimum acceptable cranking amps nor the reserve capacity rating required by the City.
33. Authorizing the City Manager to accept and execute bus exterior and interior advertising services contract between the City of Laredo (City) and Bus Ads (contractor). Contractor shall be entitled to maintain and place advertisements on and inside El Metro buses for the term of three (3) years commencing on May 1, 2004, and extending to April 30, 2007, for the greater of the minimum annual guaranteed revenue or fifty percent (50%) of net billings as described in the contract. End of contract is negotiable for an additional two (2) – one (1) year options.
34. Consideration for approval of Change Order No. 1 an increase of \$39,000.00 to the construction contract with Rhino Builders, Ltd., Laredo,



Texas, for the Seven Flags Park Rehabilitation Project to construct a 4" thick reinforced concrete slab over 13,000 square feet at skate park location, and which was not included in original plans. Funding is available in the Capital Improvement Projects Fund-Seven Flags Park.

35. Authorizing the City Manager to enter into a six (6) game contract with Vaswani Soccer Ventures, LLC, (Laredo Heat Soccer) for use of Veteran's Field for an amount of \$15,400.00 and 15% of gross concession sales. The primary purpose of this agreement is to provide a venue for the Laredo Heat Soccer League home games.
36. Ratify and approve action taken by the City Manager on April 5, 2004 to authorize an emergency contract to Ellis & Ellis, Inc. in an amount not to exceed \$63,000.00 for the repair of the collapsed 36" wastewater interceptor at San Francisco and Ortiz, and authorize the City Manager to proceed with the emergency repair of three (3) manholes on the 30" line leading into the 36" for an additional \$147,000.00, and a total motion for \$210,000.00.
37. Consideration to award a lease purchase contract (FY04-070) to the low bidder, Philpott Motors, Port Neches, Texas, in the total amount of \$1,179,821.67 for the acquisition of forty seven (47) replacement police sedans; and authorizing the City Manager to sign any and all lease purchase documents.
  - a. Financing will be secured through Ford Municipal Lease Corporation. The City is requesting that these vehicles be delivered fully equipped with light bars, sirens, decals, and a fire suppression system for the rear fuel tank. Only the radios will be installed after the vehicles have been delivered to the City. This will expedite the process to activate units for patrol duty. The lease purchase payments have been allocated in the Police Trust fund.
38. Approving monthly tax adjustments to the tax roll. The amount to be adjusted for the month of March 2004 represents an increase of \$5,628.84. These adjustments are determined by Webb County Appraisal District and by court orders.
39. Refund of property tax to the following taxpayers and companies:
  - a. A refund in the amount of \$599.41 payable to Arnulfo & Diana Santos due to a double payment. Account # 989-30001-010.
  - b. A refund in the amount of \$812.53 payable to Ophelia Castillo due to a double payment. Account # 990-10001-040.
  - c. A refund in the amount of \$630.46 payable to Wells Fargo Home Mortgage due to a double payment. Account # 969-00007-070.
  - d. A refund in the amount of \$1,253.10 payable to Wells Fargo Home Mortgage due to a double payment. Account # 987-21003-010.

- e. A refund in the amount of \$556.08 payable to Wells Fargo Real Estate Tax Service due to a double payment. Account # 968-60012-310.
- f. A refund in the amount of \$1,147.59 payable to Settlement Services Group due to a double payment. Account # 991-00007-020.
- g. A refund in the amount of \$986.45 payable to Vicente & Laura Salcedo due to a double payment. Account # 909-40003-240.
- h. A refund in the amount of \$1,085.37 payable to Commerce Bank due to a double payment. Account # 926-10021-013.
- i. A refund in the amount of \$576.93 payable to First American Real Estate Tax Service due to a double payment. Account # 965-21003-124.
- j. A refund in the amount of \$1,495.76 payable to First American Real Estate Tax Service due to a double payment. Account # 909-30731-172.
- k. A refund in the amount of \$5,019.73 payable to First American Real Estate Tax Service due to a double payment. Account # 945-00811-310.
- l. A refund in the amount of \$608.04 payable to First American Real Estate Tax Service due to a double payment. Account # 983-10001-140.
- m. A refund in the amount of \$1,029.81 payable to First American Real Estate Tax Service due to a double payment. Account # 965-20008-112.
- n. A refund in the amount of \$688.46 payable to AEP Texas Central Company due to a double payment. Account # 900-90161-024.
- o. A refund in the amount of \$1,825.99 payable to AEP Texas Central Company due to a double payment. Account # 730-00198-010.
- p. A refund in the amount of \$1,080.00 payable to Transamerica Real Estate Tax Service due to a double payment. Account # 969-50001-160.
- q. A refund in the amount of \$514.66 payable to Alan D. & Yolanda Robbins due to a double payment. Account # 923-00029-588.
- r. A refund in the amount of \$5,139.96 payable to Orix Capital Markets, LLC due to a double payment. Account # 948-30030-009.
- s. A refund in the amount of \$1,006.74 payable to The Laredo National Bank due to a double assessment as certified by the Webb County Appraisal Review Board. Supplement # 6, Cause # 2003-3771. Account # 989-52001-180.

## **XI. STAFF REPORTS**

40.

- A. Presentation on the Plan of Finance by Noe Hinojosa of Estrada-Hinojosa & Company, Financial Consultants, on a proposed sale of

various revenue bonds, tax exempt contractual obligation bonds and refunding bond issues.

## **XII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS**

41.

### **A. Request by Mayor Pro-Tempore John C. Galo**

1. Motion to add Market Street from Meadow to US Highway 83 South to the recycling program. (Co-Sponsor Hector J. Garcia)

## **XIII. EXECUTIVE SESSION**

The City Council hereby reserves the right to go into executive session at any time during this public meeting, if such is requested by the City Attorney or other legal counsel for the City, pursuant to his or her duty under Section 551.071(2) of the Government Code, to consult privately with his or her client on an item on the agenda, or on a matter arising out of such item.

42. Executive Session pursuant to Texas Government Code Section 551.072 in order to deliberate on the pending negotiations for the acquisition of real property in downtown Laredo, because deliberation in an open meeting would have a detrimental effect on the position of the City Council in negotiations with third persons; and return to open session for possible action.

## **XIV. RECESS AS THE LAREDO CITY COUNCIL AND CONVENE AS THE LAREDO MUNICIPAL HOUSING CORPORATION**

43. Consideration to award contract FY04-065 to the sole bidder, Cantu Electric, Inc., Laredo, Texas, in the amount of \$187,316.18 for the removal and replacement of electrical service entrances at 148 units at the Jose A. Flores apartment complex. Funding is available in the Laredo Municipal Housing Corporation budget.

a. All the electrical service entrances are being upgraded to current code requirements.

## **XV. ADJOURN AS THE LAREDO MUNICIPAL HOUSING CORPORATION AND CONVENE AS THE LAREDO MASS TRANSIT BOARD**

44. Consideration to authorize the purchase of Pem Encoder Machine and Odyssey Spare Parts/Test equipment from the sole source vendor, GFI Genfare in Elk Grove Village, Illinois, in a total amount of \$78,252.74. Funding is available in the Federal Grant TX-90-456.

- a. The spare parts and equipment will be used for backup and for maintaining the electronic fare collection fareboxes.

**XVI. ADJOURN AS THE LAREDO MASS TRANSIT BOARD AND RECONVENE AS THE LAREDO CITY COUNCIL**

**XVII. ADJOURNMENT**

This notice was posted at the Municipal Government Offices, 1110 Houston Street, Laredo, Texas, at a place convenient and readily accessible to the public at all times. Said notice was posted on April 14, 2004 at 6:00 p.m.

  
**Gustavo Guevara, Jr.**  
City Secretary



# COUNCIL COMMUNICATION

<b>DATE:</b>  04/19/04	<b>SUBJECT:</b> PUBLIC HEARING AND INTRODUCCION OF AN ORDINANCE Amending Section 24-94, of the <i>Laredo Land Development Code</i> , in order to revise the established standards and procedures governing the issuance of Conditional Use Permits; providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed ordinance amendment. LLDC(I)c-01c-2004
<b>INITIATED BY:</b> Staff	<b>STAFF SOURCE:</b> Keith Selman, Planning Director Cynthia Collazo, Asst. City Manager
<b>PRIOR ACTION:</b> None.	
<b>STAFF COMMENTS</b> Staff proposes the revision of Laredo Land Development Code, Section 24-94, in the following manner: <ol style="list-style-type: none"> <li>1. <u>Laredo Land Development Code, Section 24.94.3, entitled General Contents of a Conditional Use Permit and Fees</u>              The proposed amendment specifies that the required tax certificates shall be generated by the appropriate taxing entity.</li> <li>2. <u>Laredo Land Development Code, Section 24.94.5, entitled Conditional Use Permit Application Submittal Criteria</u>              The submittal criteria is amended such that sites zoned:              A-G through RSM may now apply for conditional use status for uses allowed in zones up to B-1;              R-2 through R-O may now apply for conditional use status for uses allowed in zones up to B-3;              B-1 through B-4 may now apply for conditional use status for uses allowed in zones up to M-1;              M-1 through M-2 may now apply for conditional use status for uses allowed in zones up to MXD.               The submittal criteria are also amended such that all the following are proposed for inclusion:             <ul style="list-style-type: none"> <li>• Application for Conditional Use Permit is prohibited if the existing underlying zoning requires a Special Use Permit for the proposed use.</li> <li>• Any Conditional Use Permit authorized for a use, normally requiring a Special Use Permit in any district, must conform at a minimum with the performance standards required of that Special Use Permit.</li> <li>• The use and site plan for the proposed conditional use shall conform, at a minimum, with all applicable provisions of the Land Development Code for the existing underlying zoning designation, including but not limited to:                 <ul style="list-style-type: none"> <li>• Site Development Standards. All parking, landscaping, signage, improvement and dimensional standards.</li> <li>• Zoning Districts Standards. The purpose of the zoning district in which the proposed conditional use is to be located and any standards applicable to the particular proposed use.</li> </ul> </li> <li>• Conditional use status may only be authorized for proposed use. Application for conditonal use status is prohibited for the purpose of deviation from any applicable development standards normally required by the existing underlying zoning, including, but not limited to signage, landscaping, parking, paving or dimensional requirements.</li> </ul> </li> </ol> <div style="text-align: right; margin-top: 10px;">Comments continued....</div>	
<b>P&amp;Z COMMISSION RECOMMENDATION:</b> The P & Z Commission, in a 9 to 0 vote, recommended approval of the ordinance amendment.	<b>STAFF RECOMMENDATION:</b> Staff <u>supports</u> the proposed amendment.

**Staff Comments Continued...**

- Existing or previously legal-nonconforming structures may apply for conditional use status and are not limited by conditional use permit application parameters as stipulated in Sections 24.94.5.1 through 24.94.5.4 and 24.94.5.9.
  - Conditional use status may be sought if the site has a non-conforming use which has been in existence for ten (10) or more years.
  - Conditional use status may not be sought for uses requiring less intense zoning designation than that which currently exists on site
3. Laredo Land Development Code, Section Section 24.94.6, entitled Conditional Use Permit Review Standards:  
The review criteria will be amended such that the conformance to code criteria is removed from its current location in this section and is included in the above section, entitled Conditional Use Permit Application Submittal Criteria
  4. Laredo Land Development Code, Section Section Section 24.94.10, entitled Expiration of Conditional Use Permit Approval  
Staff proposes the elimination of this section as new revocation procedures are now outlined in section 24.94.10, entitled Revocation.
  5. Laredo Land Development Code, Section 24.94.10, entitled Revocation  
Revocation procedures are outlined such that a zoning officer, upon discovery of CUP noncompliance, will first issue a warning, then a citation. If the citation then results in a court finding of noncompliance, the City will consider the permit revoked and remove it from the official zoning map. The applicant will be notified of the permit's revocation.
  6. Laredo Land Development Code, Section 24.94.12, entitled Discontinuance  
Staff proposes the elimination of this section as the newly included revocation procedures make this section redundant.

## **CITY OF LAREDO ORDINANCE NO. 2004-O-**

AMENDING SECTION 24-94, OF THE *LAREDO LAND DEVELOPMENT CODE*, IN ORDER TO REVISE THE ESTABLISHED STANDARDS AND PROCEDURES GOVERNING THE ISSUANCE OF CONDITIONAL USE PERMITS; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, the Laredo Land Development Code currently provide guidelines regarding Conditional Use Permit application procedures, review criteria, and approval standards; and,

WHEREAS, the revision of said procedures, review criteria, and approval standards has been deemed necessary and appropriate; and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **approval** of the ordinance; and,

WHEREAS, notice of the ordinance was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on April 1, 2004, on the item and finds the ordinance appropriate and consistent with the General Plan of the City of Laredo.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

**Section 1:** Section 24-94 of the Laredo Land Development Code be and is hereby amended as follows:

### **SECTION 24-94**

#### **CONDITIONAL USE PERMIT PROCEDURES**

##### **Section 24.94.1 General**

Conditional uses are those land uses which are not permitted by a site's current zoning designation, but are generally compatible with the surrounding land uses, and are authorized by the issuance of a Conditional Use Permit pursuant to the criteria and procedures described by this section.

Conditional uses require site review of their location, design, intensity, density, configuration, and operating characteristics, and may require the imposition of



appropriate conditions, in order to ensure compatibility of the use to its particular location and mitigate its potentially adverse impact on the surrounding area.

#### **Section 24.94.2 Purpose**

The purpose of a Conditional Use Permit is to provide for those land uses where additional regulation is necessary to protect the property and surrounding area. A Conditional Use Permit is primarily intended for property located in older sections of the City and is intended to promote development and/or redevelopment of such property which is consistent with the land use patterns of surrounding property. The City Council may grant a Conditional Use Permit where there is a finding based on testimony received at the public hearing that the applicant is willing and able to mitigate any negative effects of the proposed use.

#### **Section 24.94.3 General Contents of a Conditional Use Permit Application and Fees**

Any applicant requesting a Conditional Use Permit under the requirements of this section shall file with the City Planning Department an application for such permit with the appropriate fee. It shall be the applicant's responsibility to submit a complete application, which addresses the review criteria of this section.

All Conditional Use Permit applications shall contain, at a minimum, the following information:

- (A) A complete copy of a recorded deed conveying the proposed Conditional Use site to the person identified on the application as the owner.
- (B) Tax certificates, generated by the appropriate taxing entity, for the property indicating that all taxes are paid to date.
- (C) A site plan of the subject property, showing existing and proposed features, buildings, roads, alleys, utilities, etc. which are relevant to review of the conditional use application. Current land use of properties on all sides of the property and across streets and alleys.
- (D) The name, address, and telephone numbers of all owners, applicants, and representatives.
- (E) The certificate and/or articles of incorporation shall be required of properties owned by business entities.

#### **Supplementary Information**

The Planning Director may request any information of the applicant as is necessary to evaluate the impacts of the conditional use application. Examples of the information

which may be requested are elevations of the proposed new or remodeled structures, analysis of the traffic impacts of the proposed use, or evaluation of the environmental impacts of the proposed use.

Fees for conditional use permits shall be as listed in Appendix B-3 of the Laredo Land Development Code.

#### **Section 24.94.4 Process**

The processing of a Conditional Use Permit application shall follow the administrative procedures set forth for amendment of the zoning map in Section 24-92 of the Laredo Land Development Code.

#### **Section 24.94.5 Conditional Use Permit Application Submittal Criteria**

A. All Conditional Use Permit applications must conform to all of the following parameters and criteria:

~~A. Conditional Use Application parameters:~~

1. Applications for properties currently zoned ~~A-G~~ R-S, R-1, R-1A, R-1-MH, or RSM may only seek conditional use status for those uses permitted by zones R-S, R-1, R-1A, R-1-MH, RSM, R-2, R-3, or R-O or B-1 of higher intensity.
2. Applications for properties currently zoned ~~residentially, R-2, R-3, or R-O,~~ may only seek conditional use status for those uses permitted by ~~any residential zones,~~ R-3, R-O, B-1 or B-3 of higher intensity or a B-1 designation.
3. Applications for properties currently zoned ~~commercially, B-1, B-1R, CBD, B-3,~~ or B-4 may only seek conditional use status for those uses permitted by ~~any commercial zones~~ B-1R, CBD, B-3, B-4 or M-1 of higher intensity.
4. Applications for properties currently zoned ~~industrially M-1, or M-2,~~ may only seek conditional use status for those uses permitted by ~~any manufacturing zones~~ M-2 or MXD of higher intensity.
- ~~B5.~~ The site of the proposed conditional use or any improvements thereon are not in violation of any local, state, or federal law (other than zoning violation).
- ~~C. The City Council has not approved or denied any zone change or Conditional Use Permit request for the subject property within the last six months of the current CUP request submittal date.~~
6. Application for Conditional Use Permit is prohibited if the existing underlying zoning requires a Special Use Permit for the proposed use.

7. Any Conditional Use Permit authorized for a use, normally requiring a Special Use Permit in any district, must conform at a minimum with the performance standards required of that Special Use Permit.
8. The use and site plan for the proposed conditional use shall conform, at a minimum, with all applicable provisions of the Land Development Code for the existing underlying zoning designation, including but not limited to:
  - 1a. Site Development Standards. All parking, landscaping, signage, improvement and dimensional standards.
  - 2b. Zoning Districts Standards. The purpose of the zoning district in which the proposed conditional use is to be located and any standards applicable to the particular proposed use.
9. Conditional use status may only be authorized for proposed use. Application for conditional use status is prohibited for the purpose of deviation from any applicable development standards normally required by the existing underlying zoning, including, but not limited to signage, landscaping, parking, paving or dimensional requirements.
10. Existing or previously legal-nonconforming structures may apply for conditional use status and are not limited by conditional use permit application parameters as stipulated in Sections 24.94.5.1 through 24.94.5.4 and 24.94.5.9.
11. Conditional use status may be sought if the site has a non-conforming use which has been in existence for ten (10) or more years.
12. Conditional use status may not be sought for uses requiring less intense zoning designation than that which currently exists on site.

**Section 24.94.6 Conditional Use Permit Review Standards:**

An application for a Conditional Use shall comply with the following standards:

A. Suitability

The characteristics of the proposed site are suitable for the proposed use considering the size, shape, location, topography and location of improvements and natural features.

B. Timeliness

The proposed use and/or development is timely, considering the adequacy of transportation systems, public facilities and services, existing or planned for the area affected by the proposed use.

C. Compatibility to Surrounding Area

The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed as allowable by the underlying zoning district.

D. Comprehensive Plan

The proposed use satisfies any applicable goals and policies of the Comprehensive Plan, which apply to the proposed use.

E. Overlay Status

The proposed Conditional Use Permit is the only zoning overlay on that site.

F. Master Plan

The proposed use is consistent with any approved Master Plan for that area.

~~G. Conformance to Code~~

~~The use shall conform to all other applicable provisions of this Land Development Code, including but not limited to:~~

- ~~1. Zoning Districts Standards. The purpose of the zone district in which it is located, the dimensions standards of that zone district, and any standards applicable to the particular use.~~
- ~~2. Site Development Standards. The parking, landscaping, signage, and improvement standards.~~

HG. Use Appropriate and Compatible

The use shall be appropriate to its proposed location and be compatible with the character of neighboring uses, or enhance the mixture of complementary uses and activities in the immediate vicinity.

HH. Traffic

The use shall not cause undue traffic congestion, dangerous traffic conditions or incompatible service delivery, parking or loading problems. Necessary mitigating measure shall be proposed by the applicant.

H. Nuisance

The operating characteristics of the use shall not create a nuisance and the impacts of the use on surrounding properties shall be minimized with respect to noise, odors, vibrations, glare, and any other similar conditions.

K.J. Environment

The use shall not cause significant deterioration to water resources, wetlands, wildlife habitat, scenic characteristics, or other natural features. As applicable, the proposed use shall mitigate its adverse impacts on the environment.

**Section 24.94.7 Authorization to Impose Conditions**

The Planning and Zoning Director and Commission may recommend, and the Council may impose such conditions as are necessary to maintain the integrity of the City's zoning districts, to ensure the conditional use is consistent with the City's Comprehensive Plan, conforms with the Land Development Code, is appropriate to its location and compatible with neighboring uses, and does not cause undue traffic congestion or significant deterioration of the environment.

All requirements imposed by a Conditional Use permit are in addition to and supplement land development code requirements.

Authorized conditions include, but are not limited to:

(A) Site Plan Features

Limitations or requirements regarding the area, setbacks, open space, landscaping, buffering, lighting, fencing, signage, off-street parking, and similar site plan features of the proposal.

(B) Operations

Limitations or requirements regarding the conditional use's operating characteristics, duration or any similar feature of the conditional use.

(C) Duration

In the event Council limits the duration of a conditional use permit, a six month grace period, starting from the Council's final approval date, shall be afforded the applicant, over and above that time period stipulate by Council.

**Section 24.94.8 Amendment To An Approved Conditional Use Permit**

Any change to an approved conditional use permit, other than those changes that qualify as insubstantial pursuant to Section 24.94.9 of this article, will require amendment of the existing conditional use permit.

Amendment of an approved conditional use permit may only be authorized by the City Council pursuant to the administrative procedures set forth in Section 24.92 of the Laredo Land Development Code governing the amendment of the zoning map.

**Section 24.94.9 Insubstantial Changes To An Approved Conditional Use Permit**

The Planning and Zoning Director may approve insubstantial changes to a previously approved conditional use permit.

An insubstantial change is one that becomes necessary during the use's actual implementation, which could not be reasonably anticipated during it's review by the City Council and one that the Planning and Zoning Director determines does not significantly change the original approval granted.

An amendment to any of the following Conditional Use Permit requirements may not be considered insubstantial:

- (A) Use - those activities allowed on site by the Conditional Use Permit.
- (B) Operational Characteristics - the gross limitations or requirements regarding the conditional use's operating characteristics.
- (C) Site Plan Features - the gross limitations or requirements regarding the area, setbacks, open spaces, landscaping, buffering, lighting, fencing, signage, or the off-street parking of the proposal.
- (E) Duration - Requirements governing the duration of the permit.
- (F) Permit Holder - Requirements regarding the person or entity to whom the permit is issued.

**~~Section 24.94.10 Expiration of Conditional Use Permit Approval~~**

~~If the use for which the Conditional Use Permit was authorized does not commence within six months of City Council's final approval date, the Conditional Use Permit approval shall expire.~~

#### **Section 24.94.11 10 Revocation**

##### **1. Criteria**

~~The Any Conditional Use Permit, authorized by City Council, shall be considered in noncompliance and shall be revoked and removed from the City of Laredo Zoning Map, in the event a court of law finds the use in violation should the conditionally permitted use exhibit any of any of the following conditions:~~

- ~~A. The use established on site does not conform, at any time, with to any or all permit condition(s) approved by the Council and or any local, state or federal law.~~
- ~~B. The activity authorized by the Conditional Use Permit commences prior to the institution of all conditions imposed by the Conditional Use Permit.~~
- ~~C. The applicant fails to comply at any time during the Permit's duration with all the conditions imposed by the Conditional Use Permit.~~
- C. Discontinuance of the Council approved conditional use for a period of six (6) consecutive months.
- D. The use for which the Conditional Use Permit was authorized does not commence within six months of City Council's final approval date.

##### **2. Procedures**

Should City of Laredo Zoning Enforcement Official inspection reveal noncompliance with Laredo Land Development Code, Subsection 24.94.10, Conditional Use Permit revocation procedures shall commence as below stipulated:

- A. A Zoning Officer shall, upon discovery of conditonal use permit noncompliance as per Subsection 24.94.10, issue a written warning, granting a grace period of a minimum of ten (10) working days, within which time the use may be brought into compliance with the current City Council approved Conditional Use Permit for that location.
- B. If noncompliancce persists after the conclusion of the warning grace period, a Zoning Enforcement Official shall issue written citation.

- C. Should the citation result in a guilty verdict, the City of Laredo shall consider the Conditional Use Permit revoked and proceed with its removal from the City of Laredo Zoning Map.
- D. The Planning Director shall then issue the permit holder written notification of the Conditional Use Permit's official revocation and removal from the City of Laredo Zoning Map.
- E. In the event of discontinuance or failure to commence as stipulated in Subsection 24.94.10.1.D and E of the this Ordinance, Zoning Enforcement Staff will issue written notification of same. Ten days after issuance of Zoning Enforcement notification of discontinuance or failure to commence, the Planning Director shall then issue the permit holder written notification of the Conditional Use Permit's official revocation and removal from the City of Laredo Zoning Map.

**Section 24.94.12 Discontinuance**

~~Discontinuance of a conditional use for a period of six (6) consecutive months shall render the conditional use permit null and void.~~

**Section 24.94.13 11 Transferability**

A Conditional Use Permit shall be transferable only with the approval of the City Council, and shall be subject to all conditions of the initial approval, and such other conditions as the City Council may require.

**Section 24.94.14 12 Board of Adjustment**

The Board of Adjustment shall have no authority to grant any variance to any aspect of any Conditional Use Permit duly authorized by the City Council.

**Section 2:** This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

**Section 3:** This ordinance shall become effective as and from the date of publication specified in Section 2.

**Section 4: Severability**

If any provision, section, subsection, sentence, clause, or phrase of this ordinance, or the application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any



unconstitutionality, voidness or invalidity of another portion hereof, and all provisions of this ordinance are declared to be severable for that purpose.

**Section 5:** Open Meetings

The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the city hall of the City for the time required by law preceding this meeting, as required by the Open Meeting Act, Texas Government Code Sect. 551.001 ET. AT.; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter approves and confirms such written notice and the contents and posting hereof.

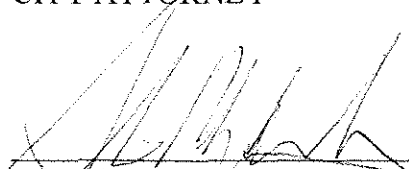
PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:  
JAIME FLORES  
CITY ATTORNEY

  
\_\_\_\_\_  
BY: ANTHONY C. MCGETTRICK  
ASSISTANT CITY ATTORNEY



## COUNCIL COMMUNICATION

<b>Date:</b>  04/19/04	<b>SUBJECT:</b> PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE Amending the Zoning (Map) of the City of Laredo by amending Ordinance No. 2002-O-058 authorizing the issuance of a Conditional Use Permit to David Richter for a concrete batch plant on 5.00 acres, as further described by metes and bounds in attached Exhibit "A", located on the west side of Hwy. 83 and north of Masterson Rd., by extending the terms of the permit 2 more years; providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the Conditional Use Permit. ZC-03b-2004
<b>Initiated by:</b> David Richter	<b>Staff source:</b> Keith Selman, Planning Director Cynthia Collazo, Asst. City Manager
<b>Prior action:</b> On April 24th, 1995, Ordinance No. 95-O-100 authorized the issuance of the original Conditional Use Permit to expire in four years. On October 26th, 1998, Ordinance No. 98-O-254 amended the original ordinance by renewing it for two years, to expire on April 15, 2000. Ordinance No. 2000-O-011, approved on January 17, 2000, once again renewed the permit for another two years, expiring on April 15, 2002. Ordinance 2002-O-058, finalized on 04/01/02, renewed the permit for another two years, to expire on 04/15/04. On February 19, 2004, the Commission recommended denial of the presently proposed permit renewal. On March 4, 2004, the Commission approved reconsideration and replacement of the item on the March 18, 2004 agenda.	
<b>BACKGROUND</b> <b>Council District:</b> III - John Galo  <b>Proposed use:</b> Concrete batch plant  <b>Site:</b> The site is currently occupied by a concrete batch plant.  <b>Surrounding land uses:</b> North of the site is Hellums Services Inc. and Fleetwood Manufactured Homes Sales. East of the site is Hwy. 83 and a large area of vacant undeveloped land. South of the site is a vacant area, a vacant shed, a manufactured home, and Amistad Manufactured Home Sales. West of the site is vacant and undeveloped.  <b>Comprehensive Plan:</b> The Future Land Use Map recognizes this area as Retail/Office.  <b>Transportation Plan:</b> The Long Range Thoroughfare Plan identifies Hwy. 83 as a Major Arterial and a Truck Route.  <b>Letters sent to surrounding property owners:</b> 3 <b>In Favor:</b> 2 <b>Opposed:</b> 0	
<b>STAFF COMMENTS</b> The proposed Conditional Use Permit renewal is inappropriate. The Comprehensive Plan recognizes this area as Retail/Office and there are several large residential areas in the vicinity, including the Riverhill, Santa Fe, Santa Rita, Los Angeles, Las Palmas, El Eden, Lamrick, and Los Obispos Subdivisions.  Should the Commission or Council approve the extension of the permit, Staff recommends the permit be extended no more than 2 years from final approval date.  The only previously approved conditions of the permit are as follows: 1. The Conditional Use Permit is issued to Laredo Ready Mix, and is nontransferable. 2. Previous permit renewed for 2 years, from 04/15/02 to 04/15/04.	
<b>P&amp;Z COMMISSION RECOMMENDATION:</b> The P & Z Commission, in a 6 to 2 vote, recommended approval of the proposed CUP renewal.	<b>STAFF RECOMMENDATION:</b> Staff <u>does not support</u> the proposed zone Conditional Use Permit renewal.

**CITY OF LAREDO ORDINANCE NO. 2004-O-**

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY AMENDING ORDINANCE NO. 2002-O-058, AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT TO DAVID RICHTER FOR A CONCRETE BATCH PLANT ON 5.00 ACRES, AS FURTHER DESCRIBED BY METES AND BOUNDS IN ATTACHED EXHIBIT "A", LOCATED ON THE WEST SIDE OF HWY. 83 AND NORTH OF MASTERSON RD., BY EXTENDING THE TERMS OF THE PERMIT 2 MORE YEARS; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a request has been received to amend Ordinance No. 2002-O-058, authorizing the issuance of a Conditional Use Permit to David Richter for a concrete batch plant on 5.00 acres, as further described by metes and bounds in attached Exhibit "A", located on the west side of Hwy. 83 and north of Masterson Rd., by extending the terms of the permit 2 more years; and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on March 18, 2004; and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **approval** of the Conditional Use Permit; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on April 19, 2004, on the request and finds the Conditional Use Permit amendment appropriate and consistent with the General Plan of the City of Laredo.

WHEREAS, all conditions imposed by the Conditional Use Permit, and all pertinent requirements the Laredo Land Development Code shall be met before the activity sanctioned by the Conditional Use Permit may commence.

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by authorizing the amendment of Ordinance No. 2002-O-058, authorizing the issuance of a Conditional Use Permit to David Richter for a concrete batch plant on 5.00 acres, as further described by metes and bounds in attached Exhibit "A", located on the west side of Hwy. 83 and north of Masterson Rd., by extending the terms of the permit 2 more years.

Section 2: The Conditional Use Permit is further restricted to the following provision herewith adopted by the City Council:

1. The Conditional Use Permit is issued to Laredo Ready Mix, and is nontransferable.
2. The permit is renewed for 2 years, from 04/15/04 to 04/15/06.

Section 3: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 4: This ordinance shall become effective as and from the date of publication specified in Section 3.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE  
\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

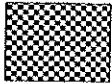
\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:  
JAIME FLORES  
CITY ATTORNEY

  
\_\_\_\_\_  
BY: ANTHONY C. MCGETTRICK  
ASSISTANT CITY ATTORNEY



Request for a B-3 C.U. P.  
(Community Business District and  
Conditional Use Permit)

City of Laredo  
Planning Department  
Feet

LOCATION: 4318 S. Zapata Hwy.

ZC - 03 - 2004

500

83

B-3

R-3

R-2

B-4

B-3

B-3

SUP

B-3

B-4

83

AG

Masterson Rd

La Pita mangana Rd

B-4

R-2

B-3

R-1MH

SUP

R-1MH

AG

M-1

Lamar Dr

B-4

Colonia Lp

Anta Marta Blvd

R-1MH

B-4

R-1

Lamrick

R-1

AG

B-3

CUP

R-3 SUZD

Moon Ln

Lirios Dr

R-1MH

B-3

Ceniso Lp

R-1

R-3

Lyla Ct

resita Ln

prtensia Ln

Wwy 83

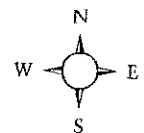
Aq

Los Fresnos

Sierra Vista Blvd

Birch Ln

CUP



City of Laredo  
Zoning Map



**SURVEY PLAT**  
 E. 10 CRE. OUT OF FRANCIS J. RICHTER TRACT  
 SURVEY 2129  
 WOOD COUNTY, TEXAS  
 SCALE: 1"=100'

Kyle Earvin  
 N87°34'E

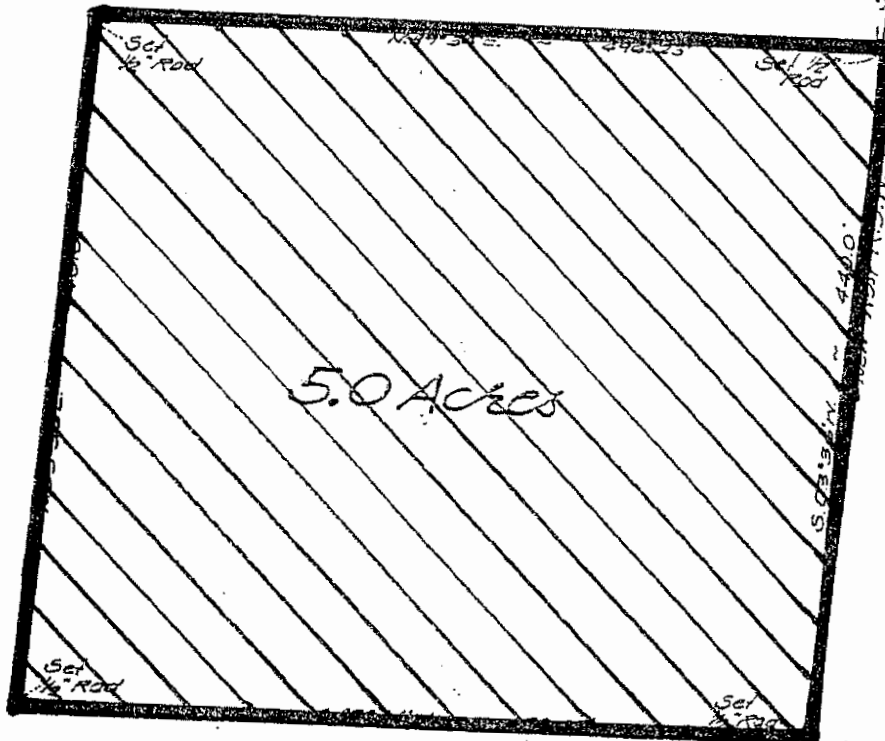
TO LAMARDO

Francis J. Richter

Found 3/8 Rod

FORES - 346.106

217.97' 21.583



Hwy. 15.83

Found 3/8 Rod  
 802.85 Feet





FIELD NOTES FOR 5.0000 ACRE TRACT

Being 5.0000 acres of land, more or less, situated in the City of Laredo, Webb County, Texas, being out of and a part of the original Richter 119.3 acre tract of land lying and being in Survey 2149, Abstract 594, Certificate 1526, Original Grantee, R. H. Rains, in Webb County, Texas as conveyed by Francis J. Richter, et. ux., to Francis Richter Farm Partners, by deed dated December 27, 1991 and recorded in Certificate 451137 of the Real Property Records of Webb County, Texas, said 5.0000 acres of land, more or less, being more particularly described by metes and bounds as follows:

**COMMENCING** at intersection point between the North Line of the of the mentioned Richter 119.3 acre tract and the West ROW Line of US Hwy 83, **THENCE** South 01°38'00" East, a distance of 222.03 feet, along the West ROW Line of US Hwy 83 to a found 3/8" iron rod, **THENCE** South 03°36'00" West, a distance of 217.07 feet, continuing along the West ROW Line of US Hwy 83 to a set 1/2" iron rod and the **POINT OF BEGINNING** of this 5.0000 acre tract of land;

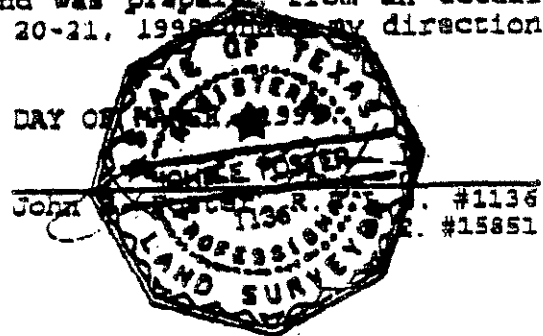
- (1) **THENCE**, South 03°36'00" West, along the West ROW Line of US Hwy 83, same being the East Line of this 5.0000 acre tract, a distance of 440.00 feet to a 1/2" iron rod set for the Southeast corner hereof;
- (2) **THENCE**, South 89°34'00" West, along the South Line of this 5.0000 acre tract, a distance of 496.23 feet to a set 1/2" iron rod for the Southwest corner hereof;
- (3) **THENCE**, North 03°36'00" East, along the West Line of this 5.0000 acre tract, a distance of 440.00 feet to a 1/2" iron rod set for the Northwest corner hereof;
- (4) **THENCE**, North 89°34'00" East, along the North Line of this 5.0000 acre tract, a distance of 496.23 feet to the **POINT OF BEGINNING**, and containing 5.0000 acres of land, more or less.

Note: Basis of bearings taken from TxDOT US-Hwy-83 ROW Survey. The East Line of this 5.0000 acre tract having a bearing of South 03°36'00" West.

STATE OF TEXAS  
COUNTY OF WEBB

I, JOHN E. FOSTER, a Registered Professional Land Surveyor, do hereby certify that the foregoing fieldnotes are true and correct to my best knowledge and belief and was prepared from an actual survey made on the ground on March 20-21, 1993 and from my direction and from office records available.

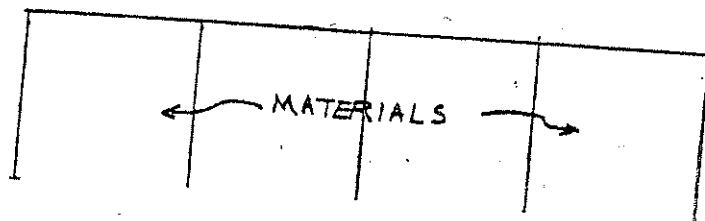
WITNESS MY HAND AND SEAL THIS 22nd DAY OF MARCH 1993



File: JAVA-2.96

5.0 ACRES TRACT  
 Out of  
 FRANCIS J. RICHTER TRACT SURVEY 2149  
 WEBB COUNTY, TEXAS

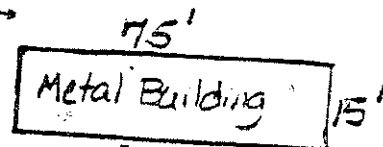
496.23'  
 5090.34'W



PAVED AREA



PAVED AREA



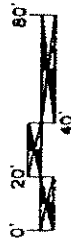
440.0'  
 503°-36'W

40'  
 ENT.

Hwy. U. S. 83

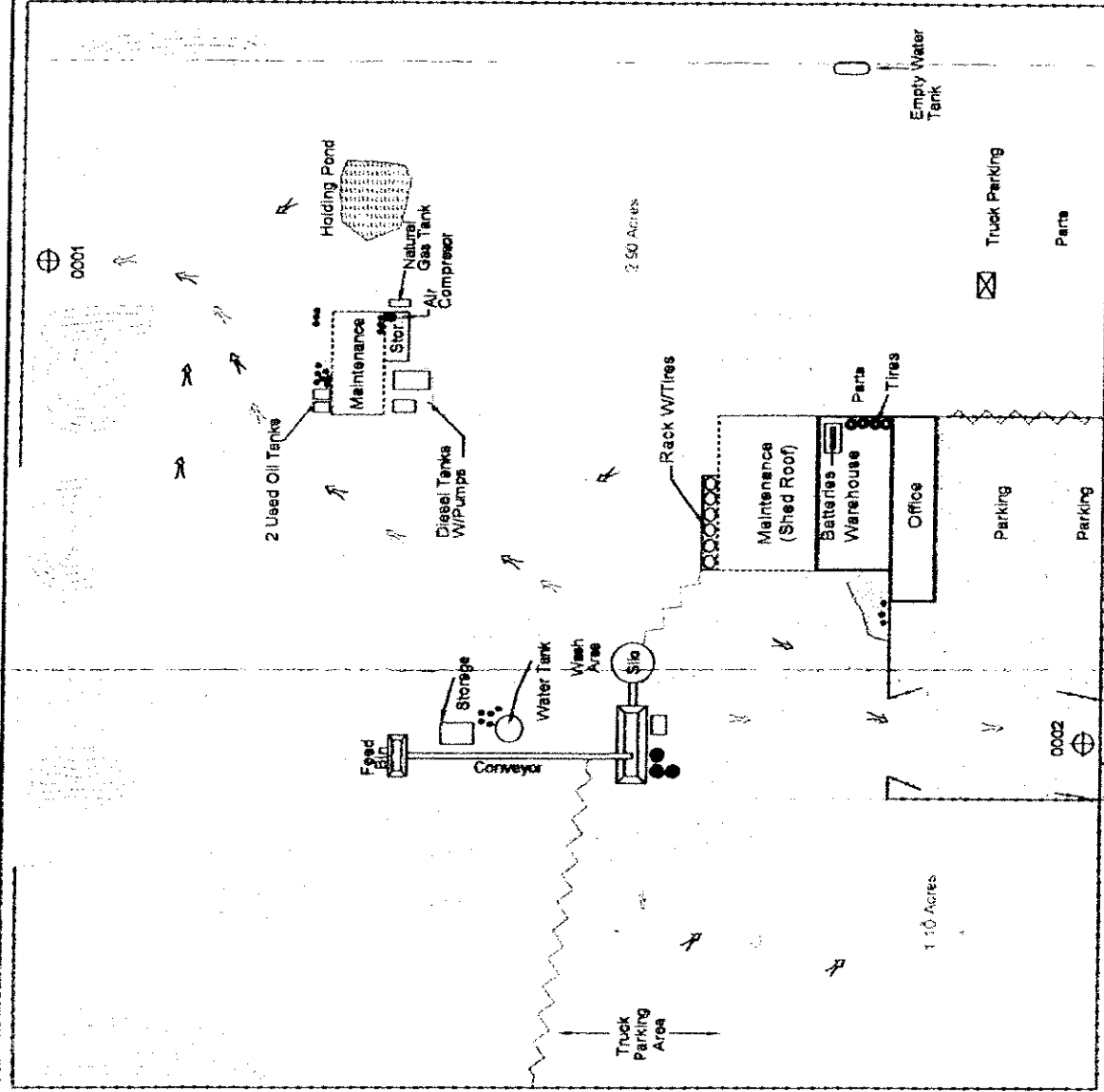
FUTURE  
 FOI

LEGEND	
	Gravel Pile
	Waste Material Pile
	Storm Water Runoff
	Waste Water Runoff
	Storm & Waste Water Outfall 0001
	Storm & Waste Water Outfall 0002
	Fence
	Dumpster
	Paving
	Grass
	Division of Storm Water Percentage Flow
	Oil Drums
	Additives



Approx. 4.00 Acres

Lat: 27° 27' 13" N  
Lon: 89° 28' 40" W

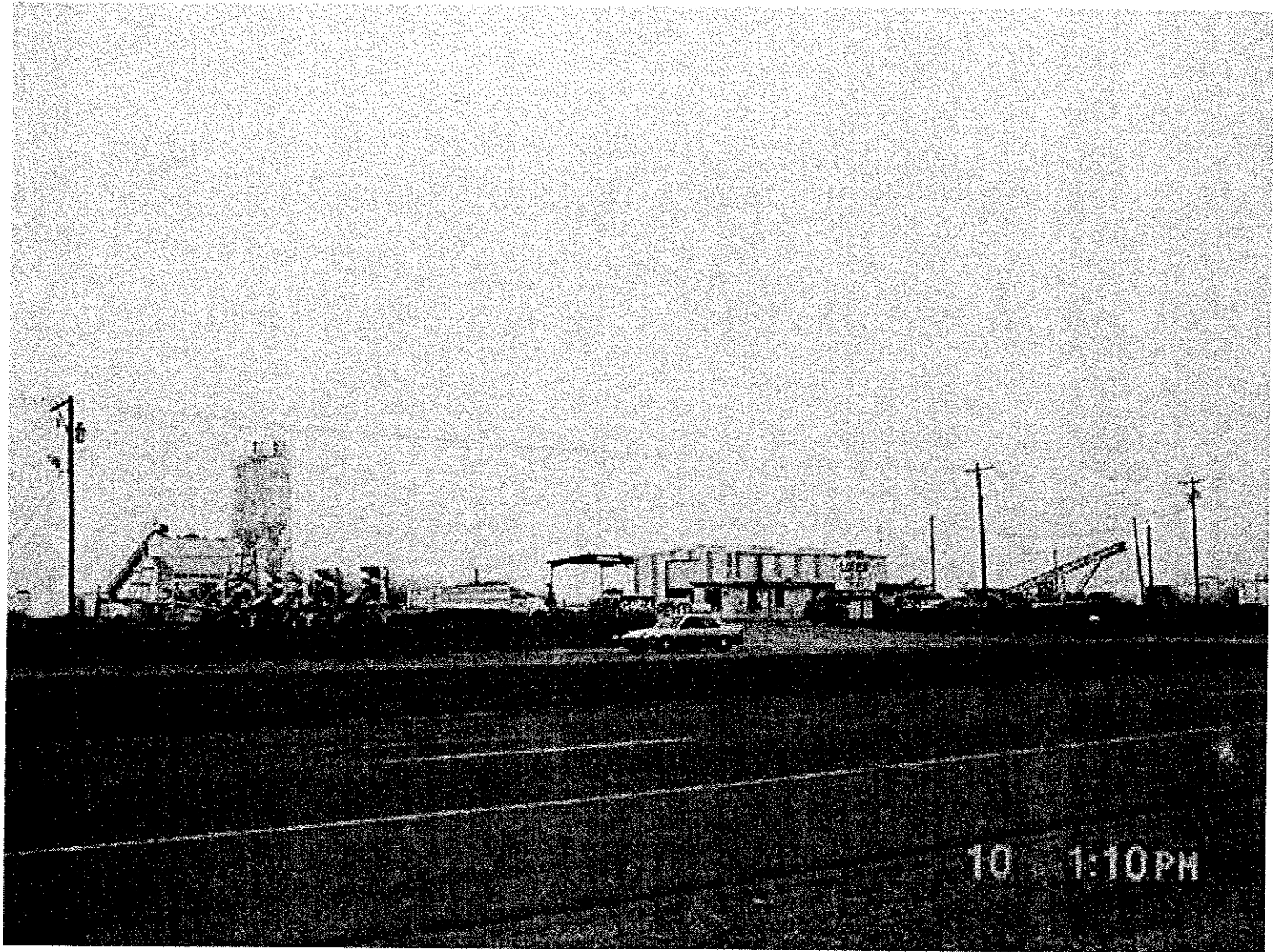


Zapata Hwy. (Hwy. 83)

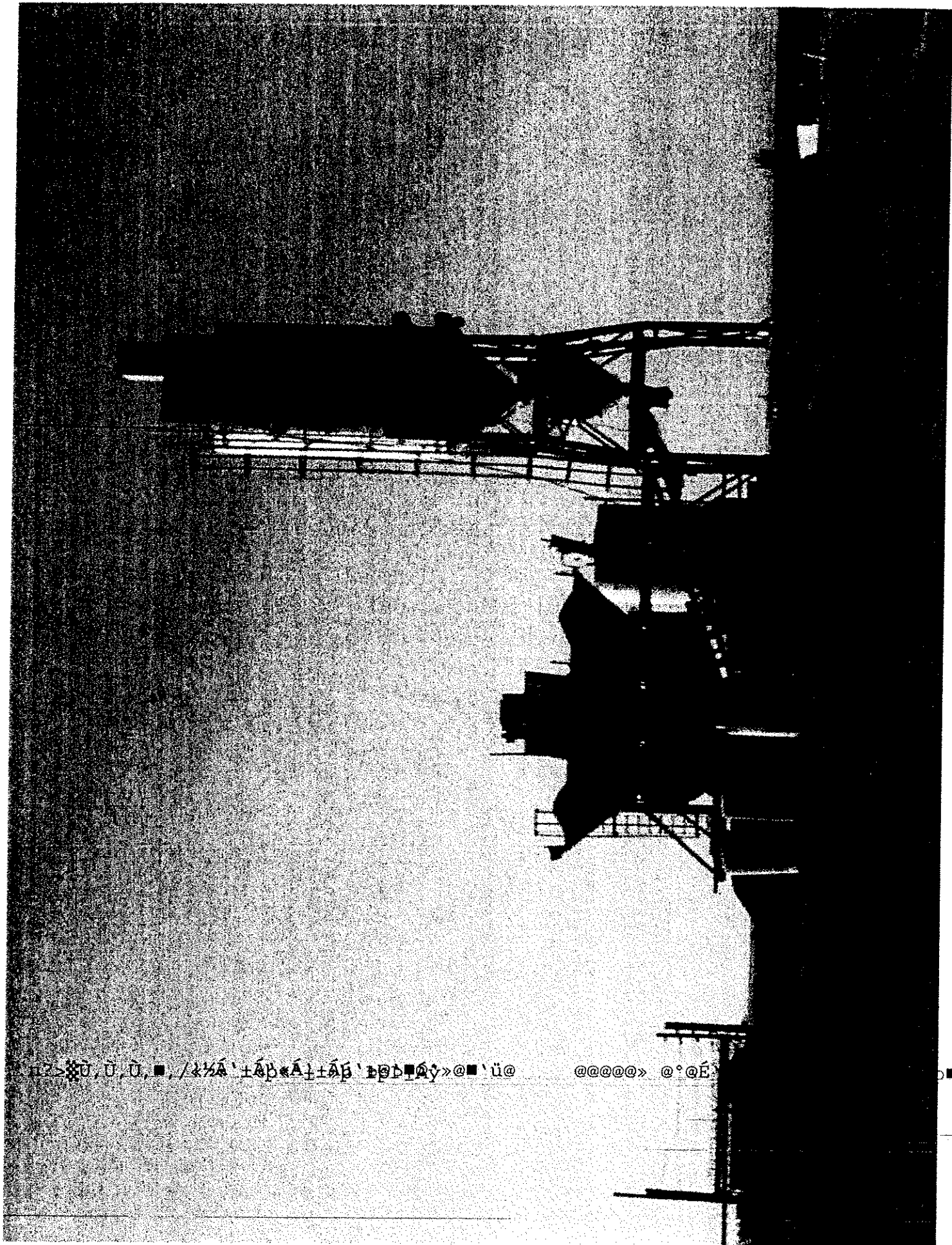
South Laredo Ready Mix, Inc.  
318 S. Zapata Hwy.

Prepared by:

PBS Environmental.



ZC-03-04



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■<sup>a</sup>



# COUNCIL COMMUNICATION

<b>Date:</b>  04/19/04	<b>SUBJECT: PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE</b> Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing the issuance of a Conditional Use Permit for a bar on Lot 1, Block 5, Del Mar Village Subdivision, located at 120 W. Village Blvd.; providing for publication and effective date. The Planning and Zoning Commission has recommended denial of the proposed Conditional Use Permit.		ZC-06-2004
<b>Initiated by:</b> Sanlin Properties Ltd.		<b>Staff source:</b> Keith Selman, Planning Director Cynthia Collazo, Asst. City Manager	
<b>Prior action:</b> None			
<b>BACKGROUND</b> <b>Council District:</b> VI – Gene Belmares  <b>Proposed use:</b> Commercial. (a bar) The applicant notes that the prospective tenant wishes to operate, within the allotted 1000 square feet, a “piano bar or a classy bar, a pub or businessman’s bar.” The bar will open from approximately 4:00 pm through the evening hours. The applicant further states the bar should require at most 3 employees. (See Exhibit B)  <b>Site:</b> The site is zoned B-1 (Limited Commercial District) and is currently occupied by a the Regency Square Shopping Center whose current occupants include three restaurants, a realty company, a nail salon, a beauty salon, a computer store, an accessory’s store, an attorney’s office, as well as, the applicant’s offices.  <b>Surrounding land uses:</b> The area north of the site is occupied by Del Mar Blvd., a shopping center, the KGNS studios, Citgo/Circle K, and Mary Help of Christian School. East of the site are located several condominium complexes. The area south of the site is occupied by Village Blvd., the Tesoro Medical Building, the Springfield Medical Plaza, the Banda Commercial Complex and a vacant lot. West of the site lay Springfield Ave., the Del Mar Plaza Shopping Center and Laredo Bar and Grill.  <b>Comprehensive Plan:</b> The Future Land Use Map recognizes this area as Retail/Office.  <b>Transportation Plan:</b> The Long Range Thoroughfare Plan identifies Springfield Avenue as a Minor Arterial.			
<b>CUP letters sent to surrounding property owners:</b> 119		In Favor: 1	Opposed: 6
<b>Zone change letters sent to surrounding property owners:</b> 119		In Favor: 3	Opposed: 7
<b>STAFF COMMENTS</b> Staff does not support the issuance of the proposed Conditional Use permit. By definition a bar requires a B-4 designation and is an “establishment whose primary business is the serving of alcoholic beverages for public consumption on the premises, whether or not entertainment, dancing, or limited food items are also provided. This does not include bona fide restaurants (serving alcohol)...” which require a B-1 zone. The operation of a bar at this location would be inconsistent with the standards for conditional use permit issuance as set forth in Laredo Land Development Code section 24.94.6.C, which requires that a conditional use shall “not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed as allowable in the underlying zoning districts.” The site directly abuts a residential district to the east, which may not be adequately buffered from the proposed use’s negative impacts, though the use technically meets the minimum required separation distances.			
Comments continued...			
<b>P&amp;Z COMMISSION RECOMMENDATION:</b> The P & Z Commission, in a 9 to 0 vote, recommended denial of the Conditional Use Permit.		<b>STAFF RECOMMENDATION:</b> Staff <u>does not support</u> the proposed Conditional Use Permit.	

## COUNCIL COMMUNICATION

### **STAFF COMMENTS CONTINUED:**

Though not in support of the proposed Conditional Use Permit, Staff recommends the following conditions:

1. Signage for the bar limited to that which is allowed in a B-1 district.
2. The Conditional Use Permit shall be issued to Sanlin Properties Ltd. and is nontransferable.
3. All relevant City of Laredo development requirements, including parking, shall apply to the entire conditional use permit site.



**CITY OF LAREDO ORDINANCE NO. 2004-O-**

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR A BAR ON LOT 1, BLOCK 5, DEL MAR VILLAGE SUBDIVISION, LOCATED AT 120 W. VILLAGE BLVD.; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a request has been received to authorize the issuance of a Conditional Use Permit for a bar on Lot 1, Block 5, Del Mar Village Subdivision, located at 120 W. Village Blvd.; and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on March 18, 2004; and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **denial** of the Conditional Use Permit; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on April 19, 2004, on the request and finds the Conditional Use Permit amendment appropriate and consistent with the General Plan of the City of Laredo.

WHEREAS, all conditions imposed by the Conditional Use Permit, and all pertinent requirements the Laredo Land Development Code shall be met before the activity sanctioned by the Conditional Use Permit may commence.

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by authorizing the issuance of a Conditional Use Permit for a bar on Lot 1, Block 5, Del Mar Village Subdivision, located at 120 W. Village Blvd.

Section 2: The Conditional Use Permit is further restricted to the following provision herewith adopted by the City Council:

1. Signage for the bar limited to that which is allowed in a B-1 district.
2. The Conditional Use Permit shall be issued to Sanlin Properties Ltd. and is nontransferable.
3. All relevant City of Laredo development requirements, including parking, shall apply to the entire conditional use permit site.

Section 3: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 4: This ordinance shall become effective as and from the date of publication specified in Section 3.

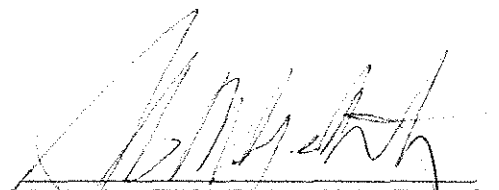
PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

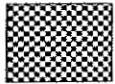
\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:  
JAIME FLORES  
CITY ATTORNEY

  
\_\_\_\_\_  
BY: ANTHONY C. MCGETTRICK  
ASSISTANT CITY ATTORNEY



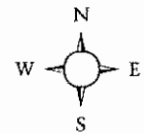
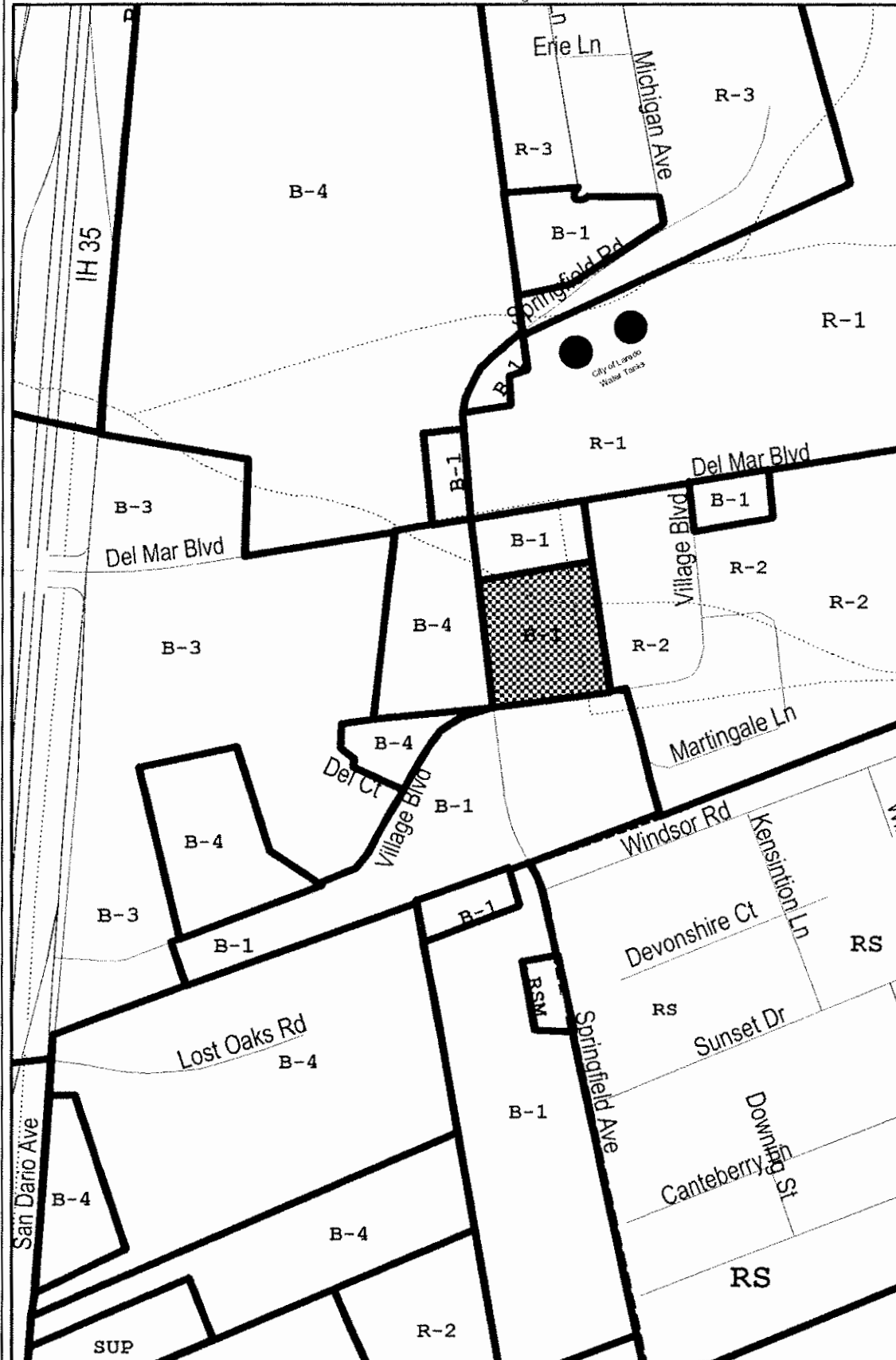
Rezone from B-1 (Limited Business District)  
To B-4 (Highway Commercial District)

City of Laredo  
Planning Department  
Feet

LOCATION: 120 W Village Blvd

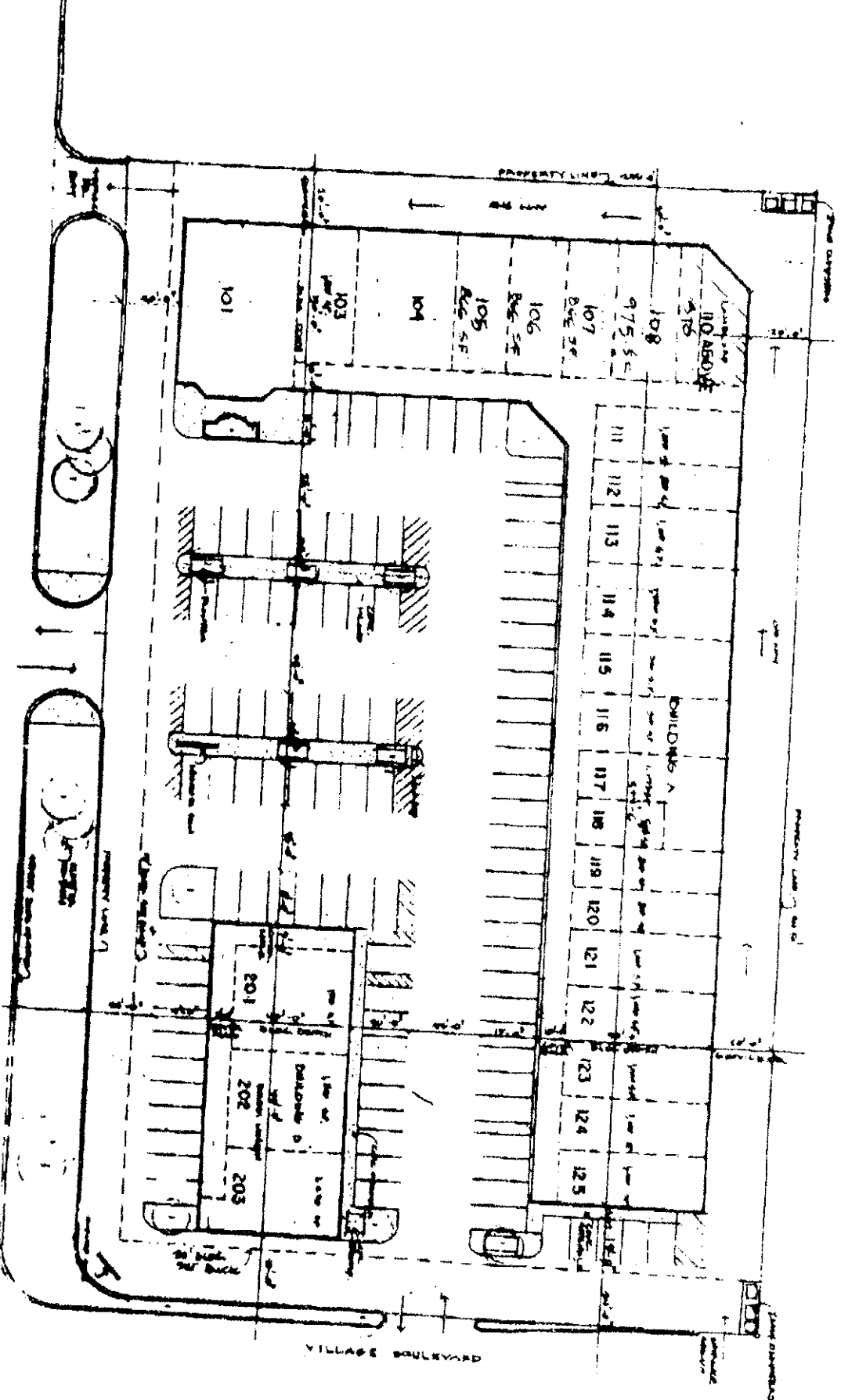
ZC - 06 - 2004

500



City of Laredo  
Zoning Map







 SITE PLAN  
 120 VILLAGE BLVD

EXHIBIT A  
 SPRINGFIELD RD.

February 12, 2004

TO: PLANNING AND ZONING DEPT.  
FROM: LINDA GUTIERREZ  
SANLIN PROPERTIES  
RE: AMENDMENT TO PETITION FOR RE-ZONING  
(REQUEST FOR CONDITIONAL USE PERMIT)

This letter serves to amend my original petition dated 1-15-04, and request a conditional use permit instead for 120 W. Village, site for Regency Square shopping strip. The following is the required narrative to complete the application for a conditional use permit.

NARRATIVE FOR PROPOSED USE

My intended use of this site is as follows:

I plan to lease one of the units left at Regency Square to a tenant who desires to do a "piano bar" or a classy bar, or pub or businessman's bar. I currently lease to three restaurants in this shopping strip, a realty company, a nail salon, a beauty salon, a computer store, an accessory's store, a bank, a bridal shop, a mortgage company, an investment company, and an attorney's office. I have my own corporate office in this location. The two lease spaces which are vacant right now and that I am currently completing the finish-out for are the intended lease units which I am seeking the conditional use permit for. I hope to find a tenant who is willing to run a small upscale bar.

The hours of operation for this bar will be afternoon and night hours (post 4:00 pm) with perhaps a 3:00 pm opening for maintenance and preparation activities by employees. The small size of the bar (1000sf) will probably call for few employees, perhaps 3 at most. This bar will complement the other tenants at the shopping strip well because of the later hours of operation. Parking will not be an issue either since most of the establishments at this shopping strip are closed by 5 pm and the only ones which remain open are the restaurants.

I would like to add that across the street from Regency Square is the Laredo Bar and Grill which is closer to the residential area, and closer to the medical offices in this area and closer to all the other commercial office buildings located in the vicinity. I mention this to point out that we have never had a problem with this particular bar located across the street from Dr. Santiago Gutierrez' medical office (which is also our property) and other medical offices and commercial businesses close to The Laredo Bar and Grill which we also own. Therefore, we do not expect to have a problem with an a small bar and one which will be even farther away from these respectable businesses .

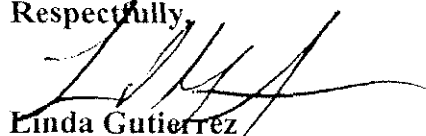
over

EXHIBIT B

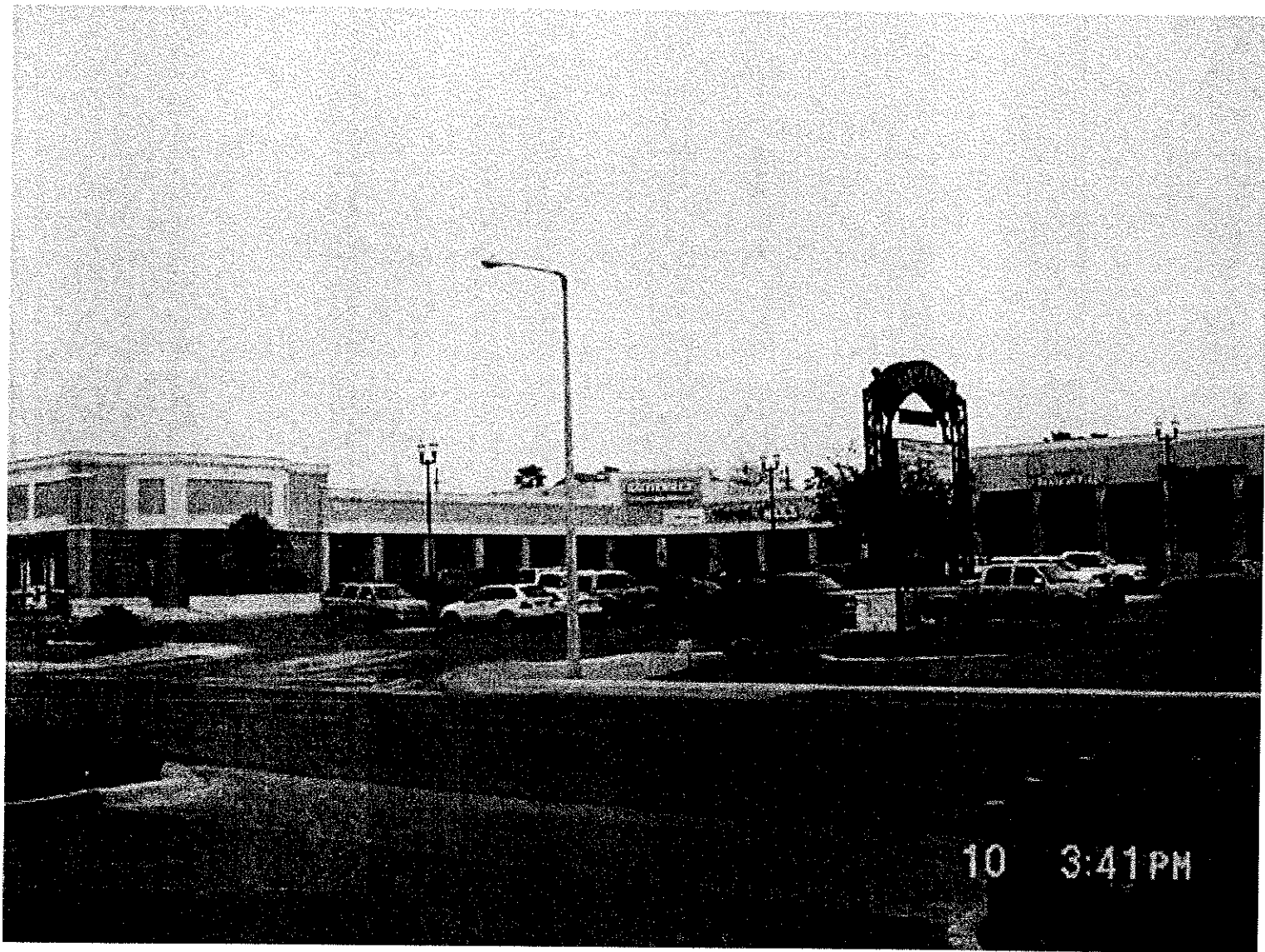
In addition, the Regency Square which I am requesting a special use permit for is closer to Del Mar Blvd, closer to the corner where Circle K is at, and directly across the street from the Del Mar Plaza (my other property which is a B4).

In short, I request a conditional use permit for the above reasons. Thanking you in advance for your favorable decision, I remain

Respectfully,

A handwritten signature in black ink, appearing to read 'Linda Gutierrez', written over a horizontal line.

Linda Gutierrez  
Owner and General Manager  
SanLin Properties, LTD  
Linor Management, LLC  
(956) 725-0572  
(956) 206-3880 cell



ZC-06-04





## COUNCIL COMMUNICATION

<b>Date:</b>  04/19/04	<b>SUBJECT:</b> PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 13.18 acres, as further described by metes and bounds in attached Exhibit "A", located northeast of Havana Dr., from AG (Agricultural District) to R-1 (Single Family Residential District); providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed zone change. <span style="float: right;">ZC-10-2004</span>	
<b>Initiated by:</b> San Isidro Southeast, Ltd.		<b>Staff source:</b> Keith Selman, Planning Director Cynthia Collazo, Asst. City Manager
<b>Prior action:</b> None		
<b>BACKGROUND</b>  <b>Council District:</b> VI- Gene Belmares  <b>Proposed use:</b> Residential  <b>Site:</b> The site is currently vacant and undeveloped.  <b>Surrounding land uses:</b> The area is surrounded by large vacant and undeveloped areas.  <b>Comprehensive Plan:</b> The Future Land Use Map recognizes this area as Low Density Residential.  <b>Transportation Plan:</b> The Long Range Thoroughfare Plan identifies International Blvd. as a Minor Arterial at this location.  <b>Letters sent to surrounding property owners:</b> 1 <b>In Favor:</b> 0 <b>Opposed:</b> 0		
<b>STAFF COMMENTS</b>  The proposed zone change is appropriate at this location. The proposed change is consistent with the area's approved masterplan, the Future Land Use Map, and the surrounding zoning.		
<b>P&amp;Z COMMISSION RECOMMENDATION:</b> The P & Z Commission, in a 9 to 0 vote, recommended approval of the zone change.		<b>STAFF RECOMMENDATION:</b> Staff <u>supports</u> the proposed zone change.

## COUNCIL COMMUNICATION

### IMPACT ANALYSIS

**R-1 (Single Family Residential District):** The purpose of the R-1 District is to provide an area for residential uses and those public and semipublic uses normally considered an integral part of the neighborhood they serve.

**Is this change contrary to the established land use pattern?**

Though still somewhat sparse, the established land use pattern is residential to the west and south.

**Would this change create an isolated zoning district unrelated to surrounding districts?**

Yes, the adjoining zoning districts are AG, R-1 and R-1A.

**Will change adversely influence living conditions in the neighborhood?**

Yes, the established residential development is better served by a similar residential designation.

**Are there substantial reasons why the property can not be used in accord with existing zoning?**

Yes, the property is zoned agriculturally which allows only a limited number of agricultural uses.

**CITY OF LAREDO ORDINANCE NO. 2004-O-**

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REZONING 13.18 ACRES, AS FURTHER DESCRIBED BY METES AND BOUNDS IN ATTACHED EXHIBIT "A", LOCATED NORTHEAST OF HAVANNA DR., FROM AG (AGRICULTURAL DISTRICT) TO R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT); PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a zone change has been requested by the owners of 13.18 acres, as further described by metes and bounds in attached Exhibit "A", located northeast of Havanna Dr., from AG (Agricultural District) to R-1 (Single Family Residential District); and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on March 18, 2004, and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **approval** of the proposed zone change; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on April 19, 2004, on the request and finds the zone change appropriate and consistent with the General Plan of the City of Laredo; and,

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by rezoning 13.18 acres, as further described by metes and bounds in attached Exhibit "A", located northeast of Havanna Dr., from AG (Agricultural District) to R-1 (Single Family Residential District).

Section 2: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 3: This ordinance shall become effective as and from the date of publication specified in Section 2.

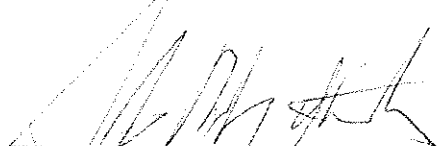
PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

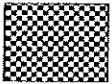
\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:  
JAIME FLORES  
CITY ATTORNEY

  
\_\_\_\_\_  
BY: ANTHONY C. MCGETTRICK  
ASSISTANT CITY ATTORNEY



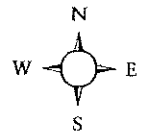
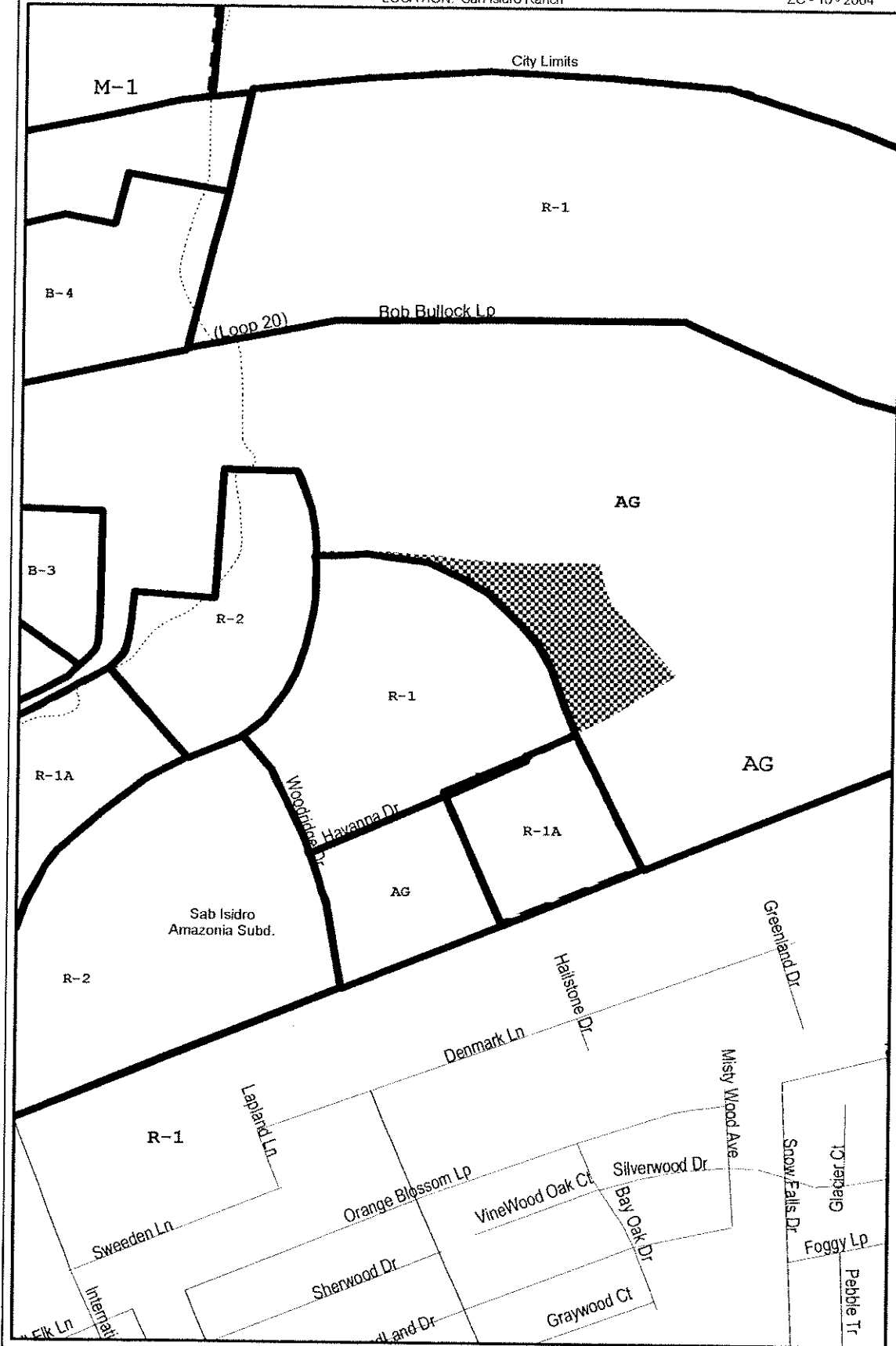
**Rezone from AG (Agricultural District)  
To R-1 (Single Family Residential District)**

City of Laredo  
Planning Department  
Feet

LOCATION: San Isidro Ranch

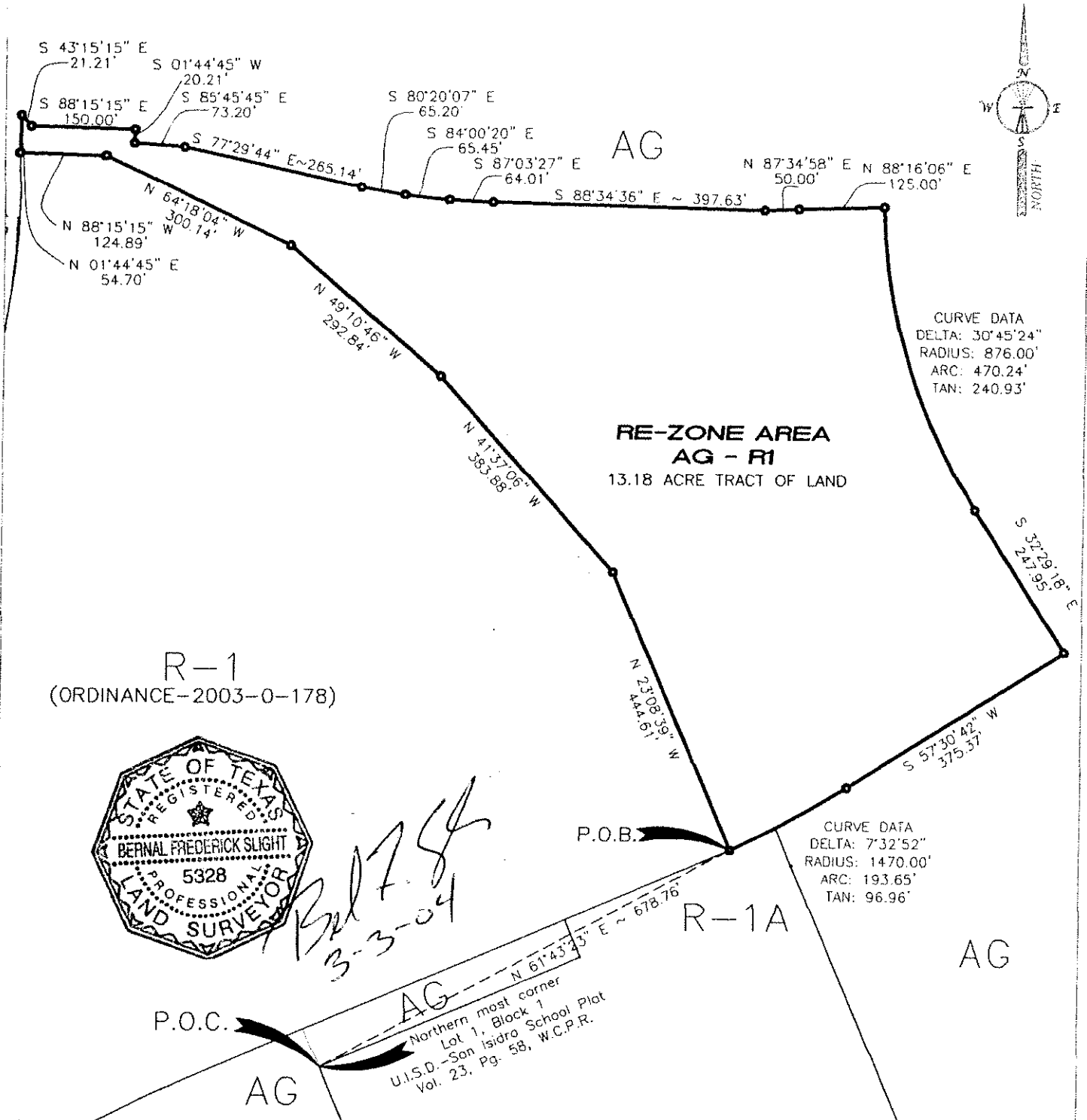
ZC - 10 - 2004

700



**City of Laredo  
Zoning Map**





DRAWN BY:	M.E.E.
CHECKED BY:	B.F.S.
H.S.C. JOB No.	New Sub Re-Zone
FILENAME:	Blackstone Dilworth
DATE:	JANUARY 27, 2004
REVISED DATE:	
B.S.11 SCALE:	HOR: 1"=200'
	VER: N/A
SHEET:	
01 OF 01	

**EXHIBIT:**

**13.18 ACRE ZONE CAHNGE**

A 13.18 Acre Tract of Land, being out of a 325.789 acre tract of land lying in Webb county, Texas and being in Precion 21 and the northeast part of Survey No. 2415, which is more particularly described by metes and bounds in volume 1395, Page 85 of the Deed Records of Webb County. Situated in City of Laredo, Webb County, Texas.

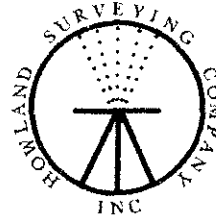
**HOWLAND**  
ENGINEERING & SURVEYING COMPANY

7615 N. BARTLETT AVE.  
LAREDO, TEXAS 78041

OFFICE: (956) 722-4411  
FAX: (956) 722-5414  
E-Mail: Howland@NetScorp.Net

# HOWLAND Engineering & Surveying Company

Oil and Gas Location Surveys • Boundary Surveys • City Lot Surveys • Engineering & Planning



**Re-Zone  
AG to R-1  
For a 13.18 Acre Tract of Land  
Situated in Porcion 20  
Webb County, Texas**

**A 13.18 Acre Tract of Land**, being out of a 325.789 acre tract of land lying in Webb county, Texas and being in Porcion 20 and the northeast part of Survey No. 2415, which is more particularly described by metes and bounds in volume 1395, Page 85 of the Deed Records of Webb County. Situated in City of Laredo, Webb County, Texas. This 13.18-acre tract being more particularly described as follows:

**Commencing** at the most northern corner of Lot 1, Block 1, U.I.S.D. -San Isidro School Plat, recorded Vol. 23, Pgs. 58, Plat Records, Webb County, Texas; Thence *North 61 degrees 43 minutes 23 seconds East*, a distance of 678.76 feet to the **True Point of Beginning**;

**Thence** *North 23 Degrees 08 Minutes 39 Seconds West*, along the existing R-1 AG zone line a distance of 444.61 feet to a point of deflection hereof;

**Thence** *North 41 Degrees 37 minutes 06 seconds West*, along the existing R-1/AG zone line a distance of 383.88 feet to a Point of Deflection hereof;

**Thence** *North 49 Degrees 10 Minutes 46 Seconds West*, continuing along the existing R-1 AG zone line found in Zone Change 2003-0-178, city of Laredo, a distance of 292.84 feet to a point of deflection hereof;

**Thence** *North 64 Degrees 18 Minutes 04 Seconds West*, continuing along the existing R-1 AG zone line a distance of 300.14 feet to a point of deflection hereof;

**Thence** *North 88 Degrees 15 Minutes 15 Seconds West*, continuing along the existing R-1/AG zone line a distance of 124.89 feet to a point of deflection hereof;

**Thence** *North 01 Degrees 44 Minutes 45 Seconds East*, a distance of 54.70 feet to a point of deflection hereof;

**Thence** *South 43 Degrees 15 Minutes 15 Seconds East*, a distance of 21.21 feet to a point of deflection hereof;

**Thence** *South 88 Degrees 15 Minutes 15 Seconds East*, a distance of 150.00 feet to a point of deflection hereof;

**Thence** *South 01 Degrees 44 Minutes 45 Seconds West*, a distance of 20.21 feet to a point of deflection hereof;

**Thence** *South 85 Degrees 45 Minutes 45 Seconds East*, a distance of 73.20 feet to a point of deflection hereof;

**Thence** *South 77 Degrees 29 Minutes 44 Seconds East*, a distance of 265.14 feet to a point of deflection hereof;

**Thence** *South 80 Degrees 20 Minutes 07 Seconds East*, a distance of 65.20 feet to a point of deflection hereof;

**Thence** *South 84 Degrees 00 Minutes 20 Seconds East*, a distance of 65.45 feet to a point of deflection hereof;

**Thence** *South 87 Degrees 03 Minutes 27 Seconds East*, a distance of 64.01 feet to a point of deflection hereof;

**Thence** *South 88 Degrees 34 Minutes 36 Seconds East*, a distance of 397.63 feet to a point of deflection hereof;

**Thence** *North 87 Degrees 34 Minutes 58 Seconds East*, a distance of 50.00 feet to a point of deflection hereof;

**Thence** *North 88 Degrees 16 Minutes 06 Seconds East*, a distance of 125.00 feet to a point of curvature for a non-tangent curve with a radius of 876.00 feet;



# HOWLAND

## Engineering & Surveying Company

Oil and Gas Location Surveys \* Boundary Surveys \* City Lot Surveys \* Engineering & Planning



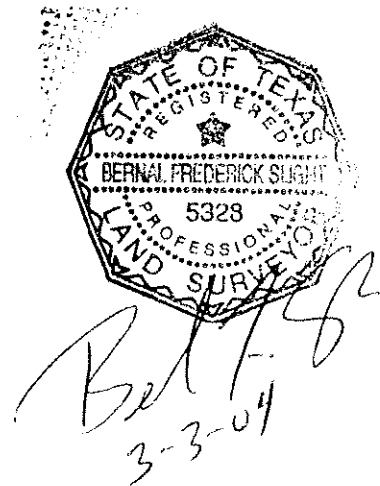
**Thence** along said curve, an arch length of 470.24 feet (Chord South 17 Degrees 06 Minutes 36 Seconds East ~ 464.61) to a point of tangency of said curve and exterior corner hereof;

**Thence** South 32 Degrees 29 Minutes 18 Seconds East, a distance of 247.95 feet to a point of deflection hereof;

**Thence** South 57 Degrees 30 Minutes 42 Seconds West, a distance of 375.37 feet to a point of curvature for a tangent curve having a radius of 1470.00 feet;

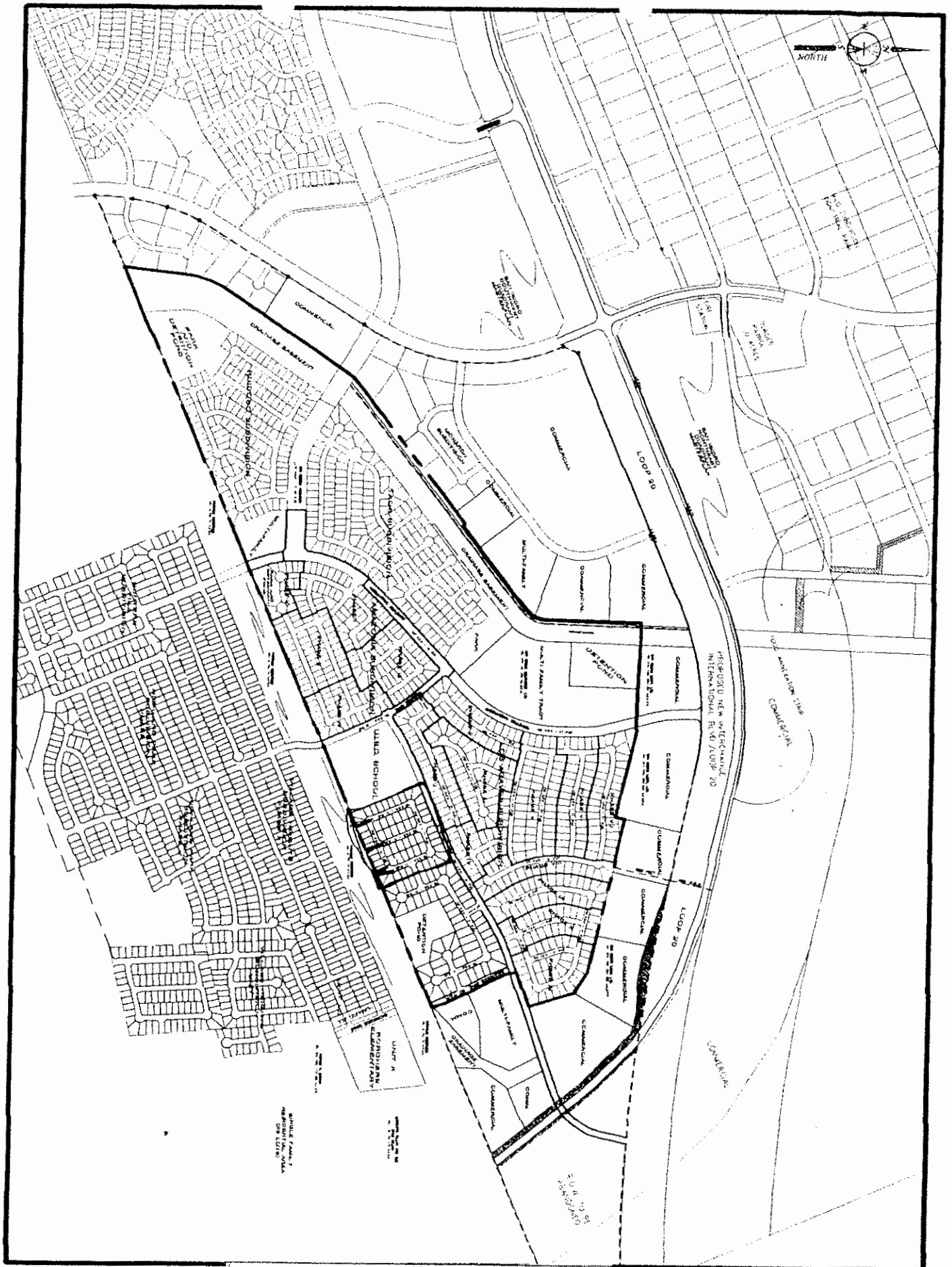
**Thence** along said curve, an arch length of 193.65 feet (Chord South 61 Degrees 17 Minutes 08 Seconds West ~ 193.51 feet) to the Point of Beginning and containing 13.18 acres more or less;

**Basis of Bearing** according to the U.I.S.D. -San Isidro School Plat, recorded in Vol. 23, Pages 58, Webb County Plat Records

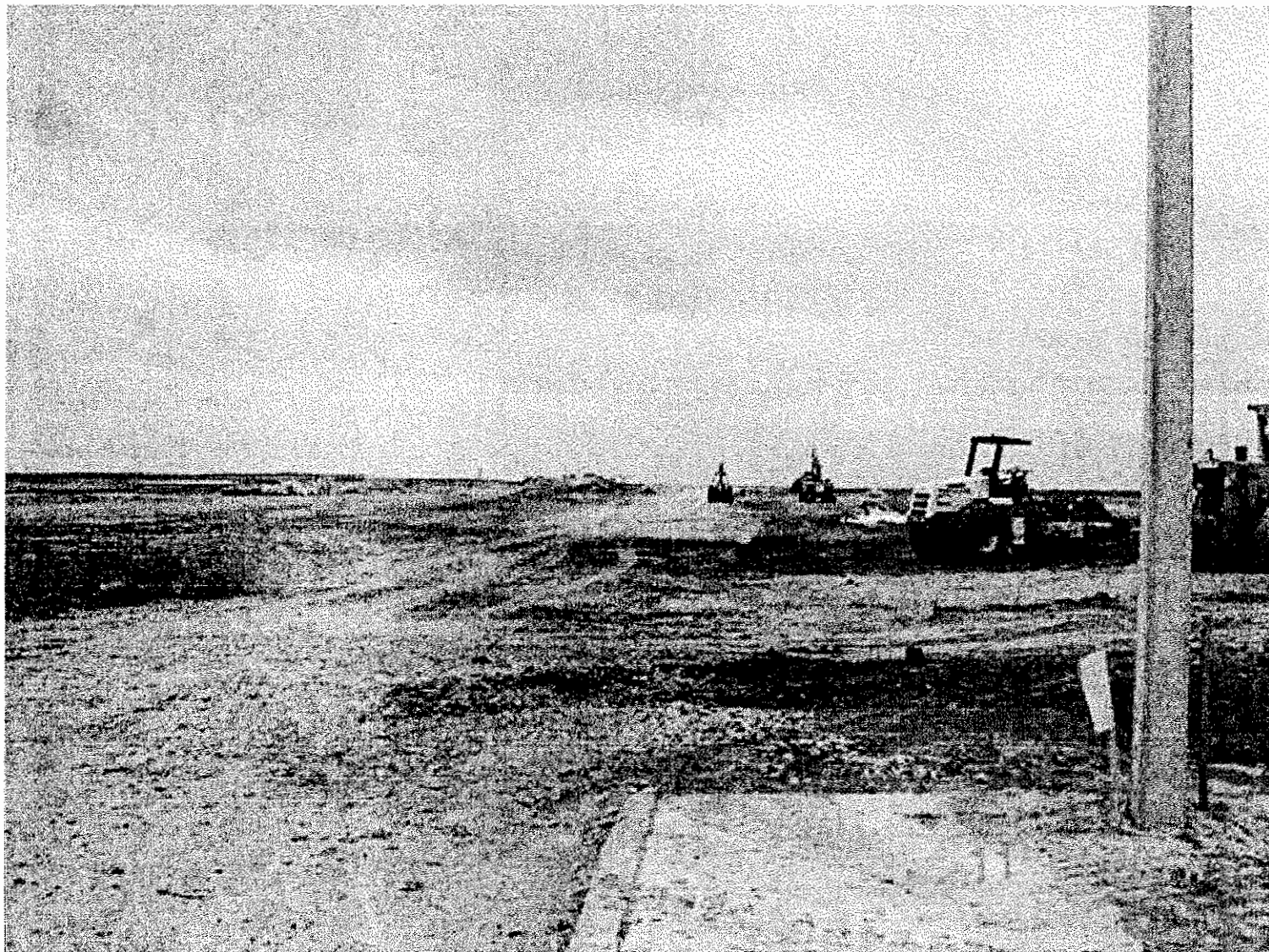


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**EXHIBIT**  
**A**



SAN ISIDRO RANCH  
SOUTHEAST QUADRANT  
REVISED MASTER PLAN



ZC-10-2004



## COUNCIL COMMUNICATION

<b>Date:</b>  04/19/04	<b>SUBJECT: PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE</b> Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 4, Block 1, Summerwind Subdivision, Unit 1, located north of Jacaman Road and east of Bartlett Ave., from R-1 (Single Family Residential District) to B-3 (Community Business District); providing for publication and effective date. The Planning and Zoning Commission has recommended denial of the proposed zone change. <span style="float: right;">ZC-11-2004</span>								
<b>Initiated by:</b> Norgua Ltd.		<b>Staff source:</b> Keith Selman, Planning Director Cynthia Collazo, Asst. City Manager							
<b>Prior action:</b> None									
<b>BACKGROUND</b>  <p><b>Council District:</b> V – Eliseo Valdez, Jr.</p> <p><b>Proposed use:</b> Commercial (no specific use given)</p> <p><b>Site:</b> The site is vacant.</p> <p><b>Surrounding land uses:</b> Summerwind Subdivision, Unit 1 lays to the northeast; Bartlett Ave., a large condominium complex, the North Village Apartments, Ambulance Service of Laredo, a commercial building under construction and a large vacant area lay to the northwest; J.A.M. Construction, the Body Factory, a large vacant area and Jacaman Road lay to the south of the site.</p> <p><b>Comprehensive Plan:</b> The Future Land Use Map recognizes this area as Low Density Residential.</p> <p><b>Transportation Plan:</b> The Long Range Thoroughfare Plan identifies both Jacaman Road and Bartlett Ave. as Major Collectors.</p> <table style="width: 100%; margin-top: 20px;"> <tr> <td style="width: 50%;"><b>Petition:</b></td> <td style="width: 25%;">In Favor: 0</td> <td style="width: 25%;">Opposed: 49</td> </tr> <tr> <td><b>Letters sent to surrounding property owners:</b> 22</td> <td>In Favor: 0</td> <td>Opposed: 15</td> </tr> </table>				<b>Petition:</b>	In Favor: 0	Opposed: 49	<b>Letters sent to surrounding property owners:</b> 22	In Favor: 0	Opposed: 15
<b>Petition:</b>	In Favor: 0	Opposed: 49							
<b>Letters sent to surrounding property owners:</b> 22	In Favor: 0	Opposed: 15							
<b>STAFF COMMENTS</b>  <p>The proposed zone change is inappropriate at this location. The change is inconsistent with the Comprehensive Plan's designation for this area and the primarily residential land use character of the area northwest of Bartlett and Jacaman. The zoning boundaries are clear and to date show no intrusion of incongruous zoning northwest of said intersection.</p>									
<b>P&amp;Z COMMISSION RECOMMENDATION:</b> The P & Z Commission, in a 9 to 0 vote, recommended denial of the zone change.		<b>STAFF RECOMMENDATION:</b> Staff <u>does not support</u> the proposed zone change.							

## COUNCIL COMMUNICATION

### IMPACT ANALYSIS

**B-3 (Community Business District):** The purpose of the B-3 District is to provide for those businesses and services serving a trade area larger than a neighborhood, but smaller than the entire city and located primarily along minor or principal arterial streets, as classified in the Transportation Plan of the City of Laredo. It is intended for this zoning classification to exist primarily abutting minor or principal arterial streets while preserving established residential neighborhoods along such streets.

**Is this change contrary to the established land use pattern?**

Yes, this subdivision is completely residential.

**Would this change create an isolated zoning district unrelated to surrounding districts?**

Yes, the adjoining zoning districts are R-1 and B-1.

**Will change adversely influence living conditions in the neighborhood?**

Yes, the commercial uses allowed by the proposed zone could negatively impact the surrounding neighborhood.

**Are there substantial reasons why the property can not be used in accord with existing zoning?**

No, the present zoning allows for sufficient and compatible uses.

**CITY OF LAREDO ORDINANCE NO. 2004-O-**

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REZONING LOT 4, BLOCK 1, SUMMERWIND SUBDIVISION, UNIT 1, LOCATED NORTH OF JACAMAN ROAD AND EAST OF BARTLETT AVE., FROM R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO B-3 (COMMUNITY BUSINESS DISTRICT); PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a zone change has been requested by the owners of Lot 4, Block 1, Summerwind Subdivision, Unit 1, located north of Jacaman Road and east of Bartlett Ave., from R-1 (Single Family Residential District) to B-3 (Community Business District); and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on March 18, 2004, and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **denial** of the proposed zone change; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on April 19, 2004, on the request and finds the zone change appropriate and consistent with the General Plan of the City of Laredo; and,

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by rezoning Lot 4, Block 1, Summerwind Subdivision, Unit 1, located north of Jacaman Road and east of Bartlett Ave., from R-1 (Single Family Residential District) to B-3 (Community Business District).

Section 2: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 3: This ordinance shall become effective as and from the date of publication specified in Section 2.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

---

ELIZABETH G. FLORES  
MAYOR

ATTEST:

---

GUSTAVO GUEVARA, JR.  
CITY SECRETARY

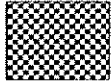
APPROVED AS TO FORM:  
JAIME FLORES  
CITY ATTORNEY



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BY: ANTHONY C. MCGETTRICK  
ASSISTANT CITY ATTORNEY





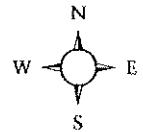
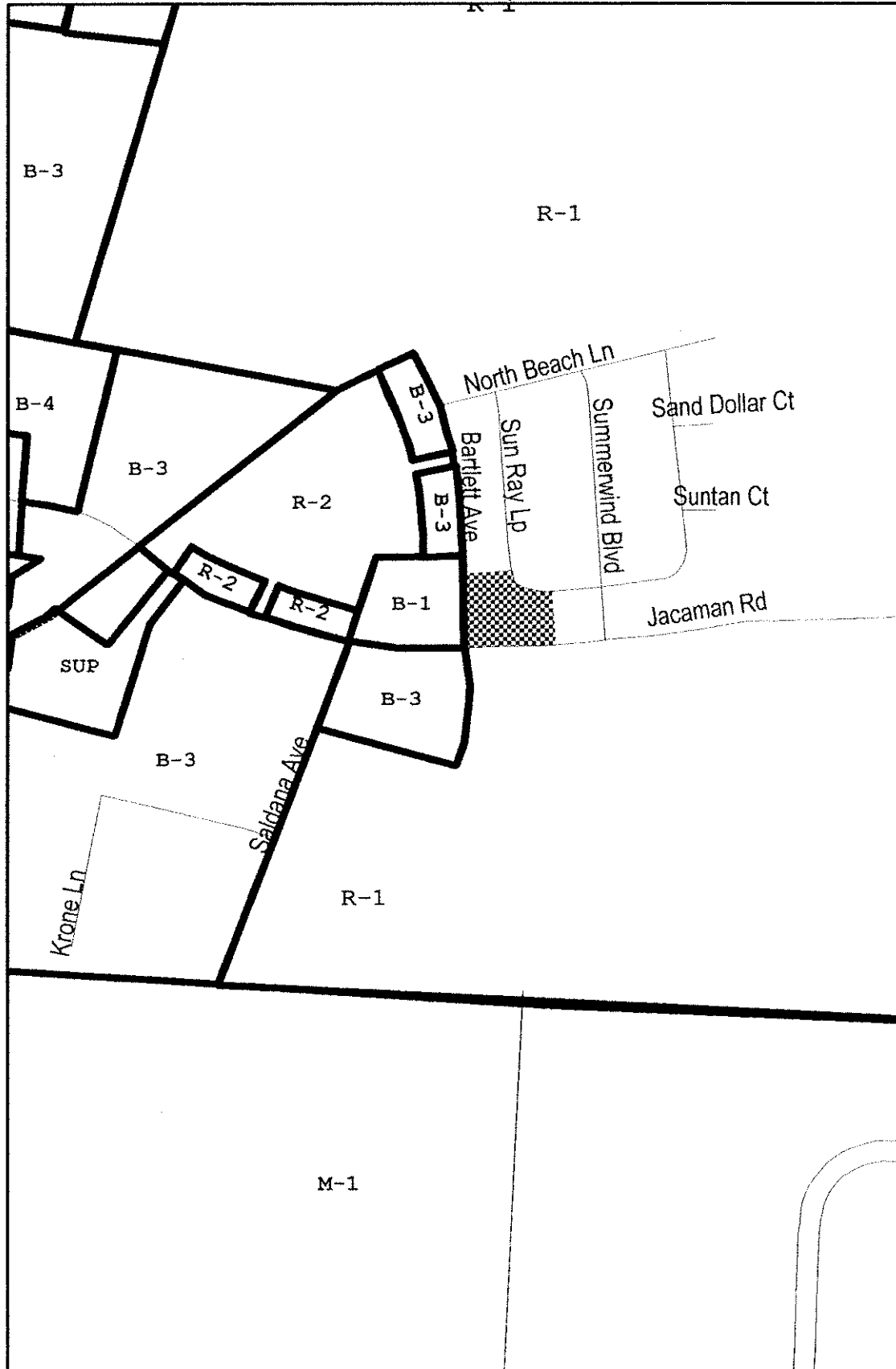
Rezone from R-1 (Single Family Residential District)  
To B-3 (Community Business District)

City of Laredo  
Planning Department  
Feet

LOCATION: Sun Ray Loop

ZC - 11 - 2004

500



City of Laredo  
Zoning Map



BARTLETT AVE.

N 00°38'33" E 191.88'

6' U.E.

N 85°47'18" E  
130.73'

20.79'  
S 04°12'42" E

CL=127.27'

SCALE: 1"=50'

DATE: 03-05-2004

20.92'  
EAST

20' BLDG. SETBACK

129.18'  
NORTH

6' U.E.

S 89°21'27" W 180.68'

35.36'

N 44°21'27" W

JACAMAN RD.

CL=34.36'

# SUMMERWIND SUBDIVISION UNIT I

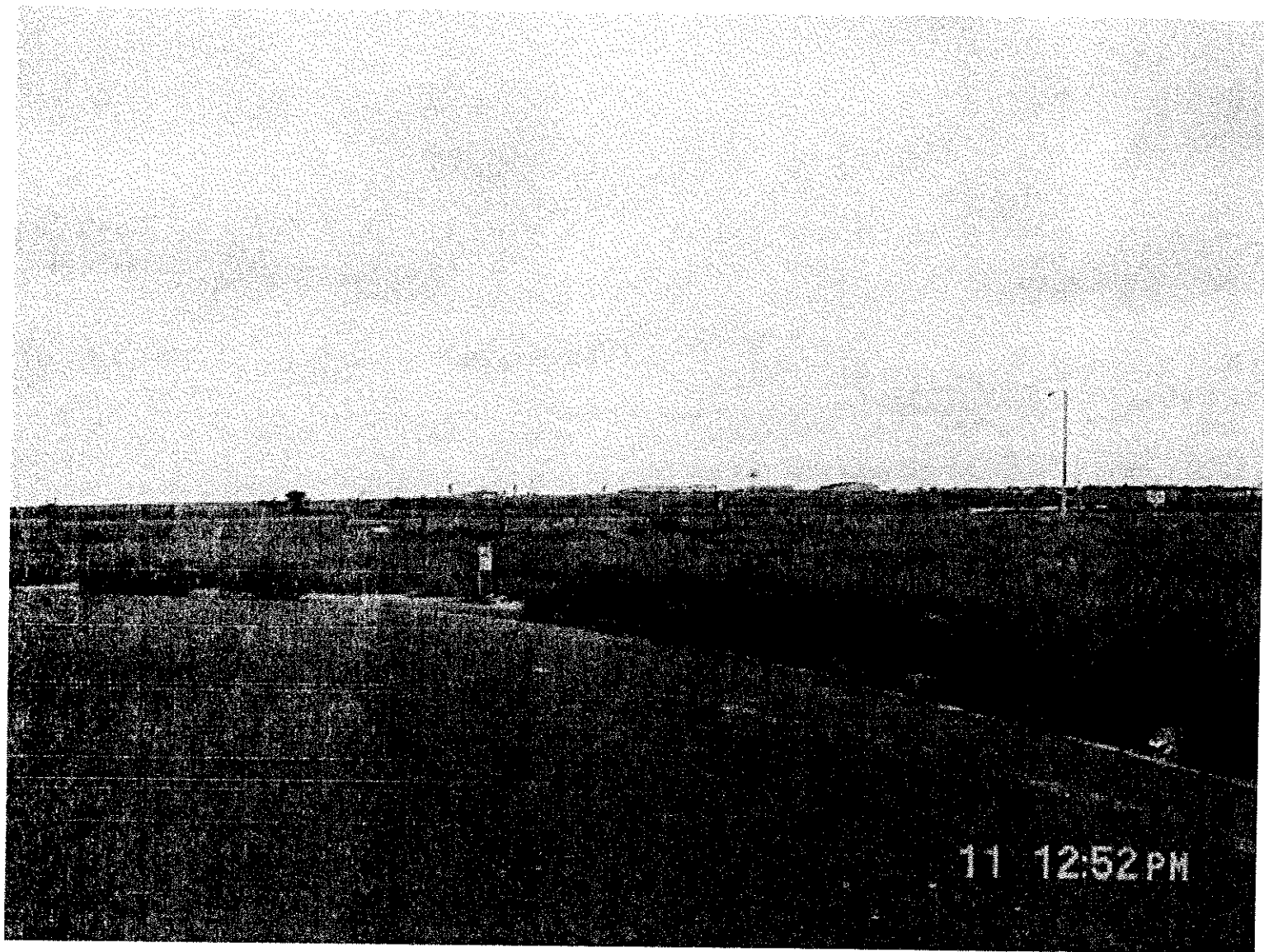
LOT 4, BLOCK 1

## PORRAS ENGINEERING CO.

P.O. BOX 1670  
78044

ENGINEERS ~ SURVEYORS  
LAREDO, TEXAS

OFFICE 724-3097  
HOME 724-7597



ZC-11-2004



## COUNCIL COMMUNICATION

<b>Date:</b>  04/19/04	<b>SUBJECT:</b> PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 2.07 acres, as further described by metes and bounds in attached exhibit "A", approximately located south of Southgate Blvd. and east of Hwy. 83, from AG (Agricultural District) to B-3 (Community Business District); providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed zone change. ZC-12-2004	
<b>Initiated by:</b> Wyers Family Trust		<b>Staff source:</b> Keith Selman, Planning Director Cynthia Collazo, Asst. City Manager
<b>Prior action:</b> None		
<b>BACKGROUND</b>  <b>Council District:</b> I – Alfredo Agredano  <b>Proposed use:</b> Commercial (no specific use given)  <b>Site:</b> The site is vacant.  <b>Surrounding land uses:</b> Southgate Blvd. and a vacant area lay to the north; U.S. Hwy 83, the Corrections Department South Office and Whataburger lay to the west, large vacant tracts lay to the east and a Border Patrol Station lays to the south of the site.  <b>Comprehensive Plan:</b> The Future Land Use Map recognizes this area as Park/Recreation Open Space.  <b>Transportation Plan:</b> The Long Range Thoroughfare Plan identifies Southgate Blvd as a Major Arterial and Hwy. 83 as a Major Arterial and a Truck Route.  <b>Letters sent to surrounding property owners:</b> 4 <b>In Favor:</b> 1 <b>Opposed:</b> 0		
<b>STAFF COMMENTS</b>  The proposed zone change is appropriate at this location. Though inconsistent with the Comprehensive Plan's designation for this area, the change is compatible with the surrounding zoning and land use pattern.		
<b>P&amp;Z COMMISSION RECOMMENDATION:</b> The P & Z Commission, in an 8 to 0 vote, recommended approval of the zone change.		<b>STAFF RECOMMENDATION:</b> Staff <u>supports</u> the proposed zone change.

## COUNCIL COMMUNICATION

### IMPACT ANALYSIS

**B-4 (Highway Commercial District):** The purpose of the B-4 District is to provide for those businesses and services serving a regional area which are to be located primarily along principal (major) arterial streets or the freeway, as classified in the Transportation Plan of the City of Laredo. It is intended for this zoning classification to exist primarily along principal arterial streets or the freeway and to impose site development regulations to ensure adequate access of all uses within this classification.

**Is this change contrary to the established land use pattern?**

No, although the area in the vicinity of the site is still sparsely developed.

**Would this change create an isolated zoning district unrelated to surrounding districts?**

No, the adjoining zoning districts are AG, B-4 and B-3.

**Will change adversely influence living conditions in the neighborhood?**

The area abutting (east of Hwy. 83) this site is still very sparsely developed.

**Are there substantial reasons why the property can not be used in accordance with existing zoning?** No, although alternative zoning designations may allow more compatible uses the commercial nature of Hwy 83.

**CITY OF LAREDO ORDINANCE NO. 2004-O-**

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REZONING 2.07 ACRES, AS FURTHER DESCRIBED BY METES AND BOUNDS IN ATTACHED EXHIBIT "A", APPROXIMATELY LOCATED SOUTH OF SOUTHGATE BLVD. AND EAST OF HWY. 83, FROM AG (AGRICULTURAL DISTRICT) TO B-3 (COMMUNITY BUSINESS DISTRICT); PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a zone change has been requested by the owners 2.07 acres, as further described by metes and bounds in attached exhibit "A", approximately located south of Southgate Blvd. and east of Hwy. 83, from AG (Agricultural District) to B-3 (Community Business District); and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on March 18, 2004, and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **approval** of the proposed zone change; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on April 19, 2004, on the request and finds the zone change appropriate and consistent with the General Plan of the City of Laredo; and,

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by rezoning 2.07 acres, as further described by metes and bounds in attached exhibit "A", approximately located south of Southgate Blvd. and east of Hwy. 83, from AG (Agricultural District) to B-3 (Community Business District).

Section 2: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 3: This ordinance shall become effective as and from the date of publication specified in Section 2.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

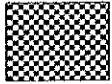
ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:  
JAIME FLORES  
CITY ATTORNEY

  
\_\_\_\_\_  
BY: ANTHONY C. MCGETTRICK  
ASSISTANT CITY ATTORNEY





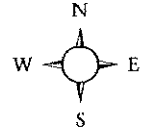
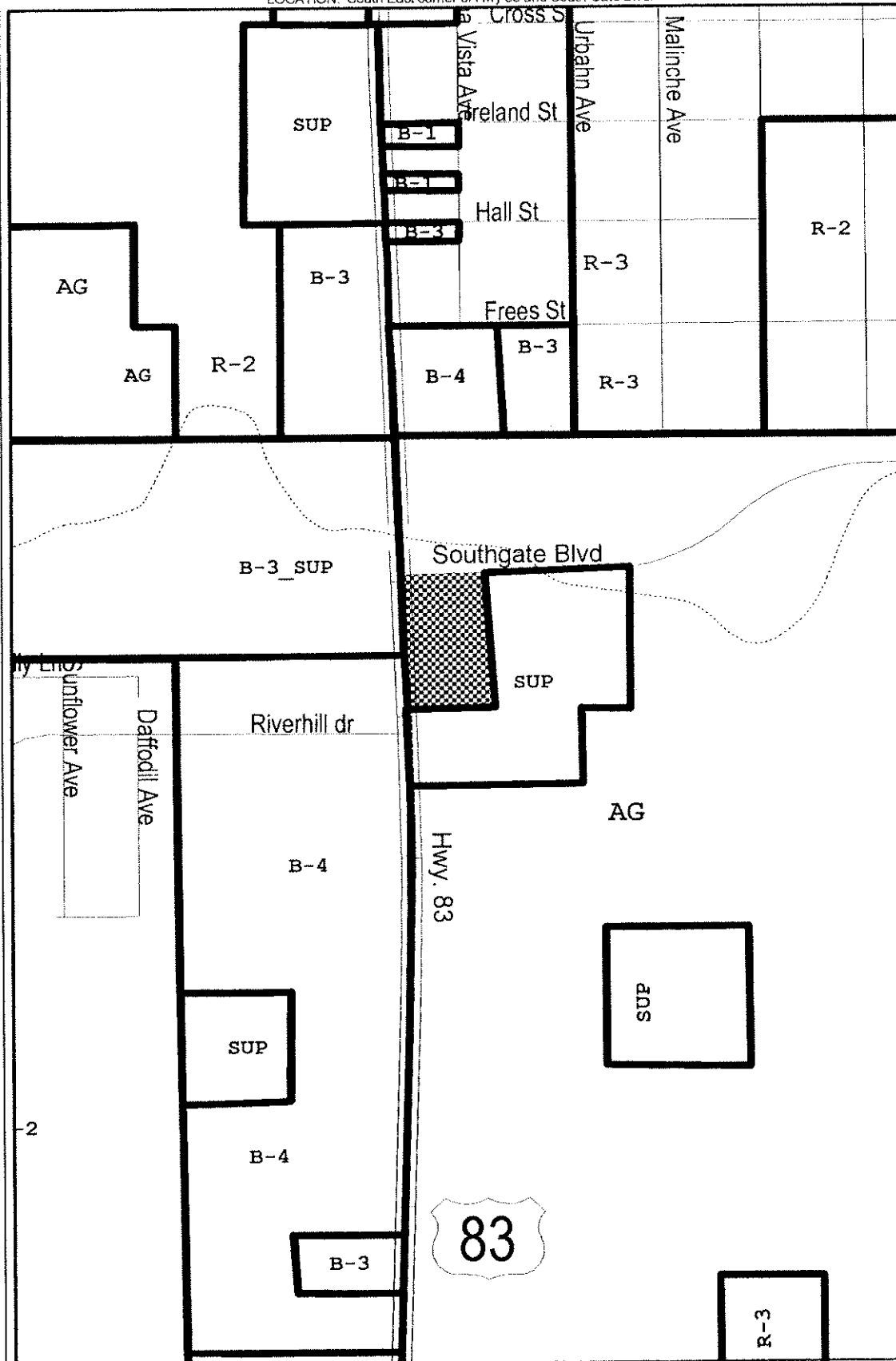
Rezone from AG (Agricultural District)  
To B-4 (Highway Commercial District)

City of Laredo  
Planning Department  
Feet

LOCATION: South East corner of Hwy 83 and South Gate Blvd

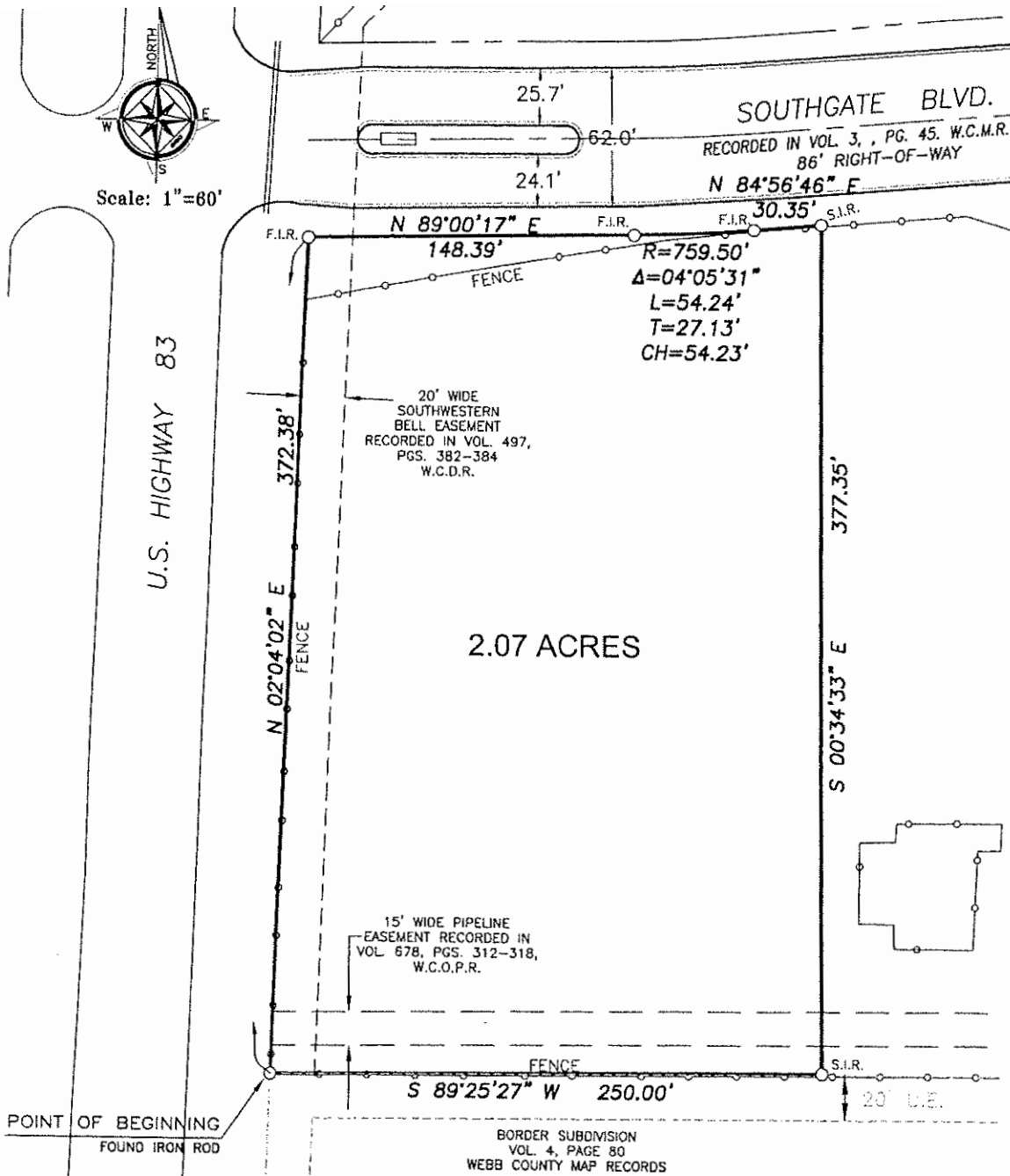
ZC - 12 - 2004

500



City of Laredo  
Zoning Map





#### CERTIFICATE OF SURVEYOR

I, THE UNDERSIGNED A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION, ON THE GROUND, THAT THE CORNER MONUMENTS SHOWN WERE PROPERLY PLACED OR LOCATED UNDER MY SUPERVISION.

#### LEGEND

- S.I.R. = SET IRON ROD
- F.I.R. = FOUND IRON ROD



ENRIQUE A. MEJIA, R.P.L.S. No. 5653

1-19-04  
DATE

#### SURVEY OF

A 2.07 ACRE TRACT, MORE OR LESS, SITUATED IN PORCION 35, ABSTRACT 546, JOSE MIGUEL DIAZ ORIGINAL GRANTEE, OUT OF 500 ACRE. AS RECORDED IN DEED VOL. 451, PG. 502, OF THE WEBB COUNTY DEED RECORDS.

BY GRAPHIC PLOTTING ONLY, THE PROPERTY IS WITHIN ZONE C (AREAS OF MINIMAL FLOODING) OF THE FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NUMBER 481059 0730 B WHICH BEARS AN EFFECTIVE DATE OF MAY 17, 1982 AND IS NOT LOCATED WITHIN AREAS OF 100-YEAR FLOOD.

Drawn By :	RXL
Checked By :	EAM
Approved By :	EAM
Date :	1-19-04
Revision :	0
Project No. :	8014
File :	LEGAL SURVEY.DWG



**Sherfey  
Engineering  
Company, L.L.C.**

104 Del Court  
Suite 400  
Laredo, Texas 78041  
(956) 791-3511

**Metes and Bounds Description  
2.07 Acre Tract**

A tract of land containing 2.07 acres, more or less, situated in Porcion 35, abstract 546, Jose Miguel Diaz original grantee, being out of that certain tract of land that is called to contain 500 acre, more or less, conveyed to H.B. Zachry company by Dr. L.A. Wright Et al, by instrument dated Feb. 4, 1976, and recorded in Vol. 506, Pages 586-597 Webb County Deed Records, said 2.07 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a found  $\frac{1}{2}$  inch iron rod on the east right-of-way line of U.S. Highway 83 at the northwest corner of Border Subdivision as recorded in volume 4, page 80 of the Webb County Map Records, same being the southwest corner of the herein described tract;

THENCE, N 02°04'02" E along the said east right-of-way line for US Hwy 83 a distance of 372.38 feet to a found  $\frac{1}{2}$  inch iron rod at the south right-of-way line of said Southgate Boulevard, the northwest corner of the herein described tract;

THENCE N 89°00'17" E, along the south right-of-way line of Southgate Boulevard a distance of 148.39 feet to a found  $\frac{1}{2}$  inch iron rod, a point of curve left;

THENCE, continuing along the south right-of-way line of Southgate Boulevard along the arc of the curve left 54.24 feet, having a radius of 759.50 feet, a delta of 4°05'31" with a chord and chord bearing of 54.23 feet and N 86°59'32" E, to a found  $\frac{1}{2}$  inch iron rod, a tangent point;

THENCE, continuing along the south right-of-way line of Southgate Boulevard N 84°56'46" E a distance of 30.35 feet to a found  $\frac{1}{2}$  inch iron rod the northeast corner of the herein described tract;

THENCE, departing from said Southgate Boulevard S 00°34'33" E a distance of 377.35 feet to a set  $\frac{1}{2}$  inch iron rod at the north line of said Border Subdivision, the southeast corner of the herein described tract;

THENCE, S89°25'27" W along a fence in places, a distance of 250.00 feet to return and close at the POINT OF BEGINNING of this 2.07 acre tract.

I, Enrique A. Mejia III, a Registered Professional Land Surveyor in the State of Texas do state that this metes and bounds description and accompanying sketch were prepared from an actual survey made of the property on the ground under my supervision.

Enrique A. Mejia III 1-19-04  
Enrique A. Mejia III Date  
Registered Professional Land Surveyor #5653

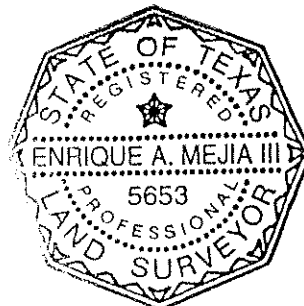


Exhibit "A"



ZC-12-2004



# COUNCIL COMMUNICATION

DATE:  04 / 19 / 2004	SUBJECT: Public Hearing / Introductory Ordinance  Authorizing the City Manager to amend the City of Laredo's FY 2003-2004 annual budget in the amount of \$1,250,000 to fund a program under U. S. Department of Justice, Office of Community Oriented Policing Service (COPS). The U. S. Department of Justice will be designating \$1,250,000 and City of Laredo will be designating \$369,250 in matching funds within the three-year life of the grant. Funding will be used to hire 10 additional School Resource Officers (SRO). The funding for this grant will be from September 1, 2002 through August 31, 2005.																																		
INITIATED BY: Cynthia Collazo, Assistant City Manager		STAFF SOURCE: Agustin Dovalina, III Chief of Police																																	
PREVIOUS COUNCIL ACTION: Resolution to accept the grant was passed by City Council on November 18, 2002. (Ref. 2002-R-102).																																			
ACTION PROPOSED: City Council approve this Ordinance to amend the City's budget.																																			
BACKGROUND: The Laredo Police Department will assign School Resource Officers to both Laredo Independent School and United Independent School District. The bulk of its criminal activity and other delinquent behavior stemming from the high schools and middle schools. Of major concern has been the increasing number of school violence and drug use incidents. Organized criminal activity has played a major role in corrupting school aged children by recruiting them to sell controlled substances on school grounds. Under the COPS in Schools, the City of Laredo Police Department will hire 10 additional School Resource Officers to implement community policing strategies to reduce school violence, drug/alcohol use and improve the quality of life on school grounds.																																			
<table border="0"> <tr> <td><b>FINANCIAL:</b></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td><u>Original Budget</u></td> <td><u>Proposed Amended Budget</u></td> <td><u>Proposed Budget Amendment</u></td> </tr> <tr> <td><b>REVENUES:</b></td> <td></td> <td></td> <td></td> </tr> <tr> <td>COPS – SRO</td> <td>\$ - 0 -</td> <td>\$ 1,250,000</td> <td>\$1,250,000</td> </tr> <tr> <td><b>TOTAL REVENUES</b></td> <td>\$ - 0 -</td> <td>\$ 1,250,000</td> <td>\$1,250,000</td> </tr> <tr> <td><b>EXPENDITURES:</b></td> <td></td> <td></td> <td></td> </tr> <tr> <td>COPS – SRO</td> <td>\$ - 0 -</td> <td>\$ 1,250,000</td> <td>\$1,250,000</td> </tr> <tr> <td><b>TOTAL EXPENDITURES</b></td> <td>\$ - 0 -</td> <td>\$ 1,250,000</td> <td>\$1,250,000</td> </tr> </table>				<b>FINANCIAL:</b>					<u>Original Budget</u>	<u>Proposed Amended Budget</u>	<u>Proposed Budget Amendment</u>	<b>REVENUES:</b>				COPS – SRO	\$ - 0 -	\$ 1,250,000	\$1,250,000	<b>TOTAL REVENUES</b>	\$ - 0 -	\$ 1,250,000	\$1,250,000	<b>EXPENDITURES:</b>				COPS – SRO	\$ - 0 -	\$ 1,250,000	\$1,250,000	<b>TOTAL EXPENDITURES</b>	\$ - 0 -	\$ 1,250,000	\$1,250,000
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*Local match of \$369,250 will be designated for FY 04-05 and FY 05-06																																			
RECOMMENDATION:		STAFF: Recommends that Council approve this Ordinance.																																	

## **Ordinance**

**Authorizing the City Manager to amend the City of Laredo's FY 2003-2004 annual budget in the amount of \$1,250,000 to fund a program under U. S. Department of Justice, Office of Community Oriented Policing Service (COPS). The U. S. Department of Justice will be designating \$1,250,000 and City of Laredo will be designating \$369,250 in matching funds within the three-year life of the grant. Funding will be used to hire 10 additional School Resource Officers (SRO). The funding for this grant will be from September 1, 2002 through August 31, 2005.**

**Whereas**, the City Council previously adopted the budget for fiscal year 2003-2004; and

**Whereas**, the Police Chief recommends that Council authorize the acceptance of this grant in the amount of \$1,250,000 from the U. S. Department of Justice; and

**Whereas**, the U. S. Department of Justice, Office of Community Oriented Policing Service will be designating \$1,250,000 and the City of Laredo will be designating \$369,250 in matching funds; and

**Whereas**, funding for this project will be used to hire 10 additional School Resource Officers; and

**Whereas**, the City Council finds that such acceptance should be made and will be beneficial to the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

Section 1: the City of Laredo's FY 2003-2004 annual budget is hereby amended in the amount of \$1,250,000 to fund a program under U. S. Department of Justice, Office of Community Oriented Policing Service (COPS). The U. S. Department of Justice will be designating \$1,250,000 and City of Laredo will be designating \$369,250 in matching funds within the three-year life of the grant. Funding will be used to hire 10 additional School Resource Officers (SRO). The funding for this grant will be from September 1, 2002 through August 31, 2005.

Section 2: The man-years reflect the addition of 10 police officers for the program.

Section 3: The City Manager is authorized to execute all necessary documents to achieve said grant and to effectuate its terms.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JAIME FLORES  
CITY ATTORNEY





## COUNCIL COMMUNICATION

<b>DATE:</b>  04/19//2004	<b>SUBJECT: PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE</b>  Amending the City of Laredo fiscal year 2004 Capital Improvement Project Fund budget by appropriating revenues and expenditures in the amount of \$12,660 for the school flasher/beacon program. Revenues consists of contributions from Laredo Independent School District (LISD) in the amount \$3,165 and United Independent School District (UISD) in the amount of \$9,495.																																		
<b>INITIATED BY:</b>  Larry Dovalina, City Manager Cynthia Collazo, Assistant City Manager		<b>STAFF SOURCE:</b>  Rosario C. Cabello, Finance Director																																	
<b>PREVIOUS COUNCIL ACTION:</b>  City Council adopted the budget for fiscal year 2004 on September 22, 2003 by Ordinance 2003-O-230. A public hearing and introduction of this ordinance will be held on April 19, 2004.																																			
<b>BACKGROUND:</b>  The City has received contributions from the LISD and UISD for the school flasher/beacon program. The installation of the school flasher/beacon for both school districts will be designated at a later date. The cost of installation will be shared 50/50 between the City and the school districts.																																			
<b>FINANCIAL:</b> <table style="width: 100%; border-collapse: collapse;"><thead><tr><th style="width: 35%;"></th><th style="width: 20%; text-align: center;">Annual Budget FY 2004</th><th style="width: 20%; text-align: center;">Proposed Amendment</th><th style="width: 25%; text-align: center;">Amended Budget FY 2004</th></tr></thead><tbody><tr><td colspan="4"><b>Capital Improvement Project</b></td></tr><tr><td colspan="4"><b>Revenues:</b></td></tr><tr><td>LISD 402-0000-326-0100</td><td style="text-align: right;">11,730</td><td style="text-align: right;">3,165</td><td style="text-align: right;">14,895</td></tr><tr><td>UISD 402-0000-326-0200</td><td style="text-align: right;">17,184</td><td style="text-align: right;">9,495</td><td style="text-align: right;">26,679</td></tr><tr><td colspan="4"><b>Expenditures:</b></td></tr><tr><td>School Flashers Phase 2&amp;3 402-4321-535-4043</td><td style="text-align: right;">141,467</td><td style="text-align: right;">12,660</td><td style="text-align: right;">154,127</td></tr><tr><td colspan="4">The City's share is appropriated in the Capital Improvements Project</td></tr></tbody></table>					Annual Budget FY 2004	Proposed Amendment	Amended Budget FY 2004	<b>Capital Improvement Project</b>				<b>Revenues:</b>				LISD 402-0000-326-0100	11,730	3,165	14,895	UISD 402-0000-326-0200	17,184	9,495	26,679	<b>Expenditures:</b>				School Flashers Phase 2&3 402-4321-535-4043	141,467	12,660	154,127	The City's share is appropriated in the Capital Improvements Project			
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The City's share is appropriated in the Capital Improvements Project																																			
<b>COMMITTEE RECOMMENDATION:</b>		<b>STAFF RECOMMENDATION:</b>  Conduct public hearing and introduce this ordinance.																																	

ORDINANCE 2004-O-\_\_\_\_\_

AMENDING THE CITY OF LAREDO FISCAL YEAR 2004 CAPITAL IMPROVEMENT PROJECT FUND BUDGET BY APPROPRIATING REVENUES AND EXPENDITURES IN THE AMOUNT OF \$12,660 FOR THE SCHOOL FLASHER/BEACON PROGRAM. REVENUES CONSISTS OF CONTRIBUTIONS FROM LAREDO INDEPENDENT SCHOOL DISTRICT (LISD) IN THE AMOUNT \$3,165 AND UNITED INDEPENDENT SCHOOL DISTRICT (UISD) IN THE AMOUNT OF \$9,495.

WHEREAS, on September 22, 2003, City Council adopted the fiscal year 2004 annual budget; and

WHEREAS, on April 19, 2004, City Council held a public hearing and introduced this ordinance; and

WHEREAS, we have received a total contribution of \$12,660 from both school districts to provide the funding necessary for school flasher/beacon program, the proposed budget amendment is hereby proposed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: Capital Improvement Fund is hereby amended as follows:

	Annual Budget FY 2004	Proposed Amendment	Amended Budget FY 2004
<b>Revenues:</b>			
LISD 402-0000-326-0100	11,730	3,165	14,895
UISD 402-0000-326-0200	17,184	9,495	26,679
<b>Expenditures:</b>			
School Flashers Phase 2&3 402-4321-535-4043	141,467	12,660	154,127

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS  
THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004

\_\_\_\_\_  
ELIZABETH G. FLORES,  
MAYOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.,  
CITY SECRETARY

  
\_\_\_\_\_  
JAIME L. FLORES  
CITY ATTORNEY



## COUNCIL COMMUNICATIONS

<b>DATE:</b> 04/19/04	<b>SUBJECT: PUBLIC HEARING AND INTRODUCTORY ORDINANCE</b> Establishing a 15% penalty on the 2003 delinquent tax accounts as of July 1, 2004 to defray costs of collection pursuant to section 33.07 (a) of the Texas State Property Tax Code; providing for publication and effective date.	
<b>INITIATED BY:</b> CYNTHIA COLLAZO, ASSISTANT CITY MANAGER		<b>STAFF SOURCE</b> ELIZABETH MARTINEZ, TAX ASSESSOR-COLLECTOR
<b>PREVIOUS COUNCIL ACTION:</b> The City Council passed a similar ordinance last fiscal year. The Ordinance number is 2003-O-099 dated May 5, 2003.		
<b>BACKGROUND:</b> The City of Laredo established a 15% penalty on delinquent taxes in June 1990. The proposed delinquent tax collection contract with the Law Firm of Ricardo De Anda is based on attorney fees of 15% of collected taxes, penalty, and interest. This fee covers the cost of legal action to collect property taxes.		
<b>FINANCIAL:</b> The City will continue to assess a 15% collection cost to taxes delinquent after July 1st of the year in which such taxes become delinquent as authorized by Section 33.07 (a) of the Property Tax Code. The amount paid out is equal to the amount collected.		
<b>COMMITTEE RECOMMENDATION:</b>		<b>STAFF RECOMMENDATION:</b> That City Council approves this Ordinance.

**ORDINANCE NO.**

**ESTABLISHING A 15% PENALTY ON THE 2003  
DELINQUENT TAX ACCOUNTS AS OF JULY 1,  
2004 TO DEFRAY COSTS OF COLLECTION  
PURSUANT TO SECTION 33.07 (a) OF THE TEXAS  
STATE PROPERTY TAX CODE; PROVIDING FOR  
PUBLICATION AND EFFECTIVE DATE.**

**WHEREAS**, Section 33.07 (a) the Texas State Property Tax Code authorizes a penalty not to exceed 15% of the amount of taxes, penalty and interest due on accounts that remain delinquent on July 1, of the year on which they become delinquent in order to defray cost of collection; and,

**WHEREAS**, the City has contracted with attorneys to enforce collection of delinquent taxes pursuant to Section 6.30 of the Texas State Property Tax Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL  
OF THE CITY OF LAREDO THAT:**

**Section 1:** An additional penalty of fifteen (15%) percent of the amount of taxes, penalty and interest due on July 1 of the year in which they became delinquent is hereby levied under authority of Section 33.07 of the Texas State Property Tax Code; and

**Section 2:** Notification be mailed to delinquent taxpayers.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE  
MAYOR ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004

ATTEST:

\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:  
JAIME L. FLORES  
CITY ATTORNEY

BY: \_\_\_\_\_  
VALERIA M. ACEVEDO  
ASSISTANT CITY ATTORNEY



## COUNCIL COMMUNICATION

<b>DATE:</b> 04/19/04	<b>SUBJECT: PUBLIC HEARING AND INTRODUCTORY ORDINANCE</b> Authorizing the City Manager to execute a two (2) year lease agreement between the City of Laredo and the Laredo Amateur Boxing Club, Inc. for use of the "Orlando and Gaby Canizales Boxing Gym", located at 1610 Guadalupe Street, a copy of which is attached as exhibit "A", for an annual rental fee of \$1.00; and providing for effective date.	
<b>INITIATED BY:</b> Larry Dovalina City Manager		<b>STAFF SOURCE:</b> Horacio De Leon, Jr. Parks and Recreation Director
<b>PREVIOUS COUNCIL ACTION:</b> City Council approved a two (2) year lease agreement with a two (2) year option on April 17, 2000.		
<b>BACKGROUND:</b>  For nearly 10 years the Laredo Amateur Boxing Club has made its home at the Orlando and Gaby Canizales Boxing Gym providing hundreds of Laredo youth a chance to train and develop boxing skills. They provide "Youth at Risk" a positive recreational opportunity and offer all youth an alternative to destructive juvenile behavior.  The boxing program is staffed by goodhearted volunteers that offer their time and skills to the community through helpful boxing training and their good efforts have helped create a large following for boxing with the Laredo youth.		
<b>FINANCIAL IMPACT:</b> A total of \$1.00 per year as annual rent will be deposited to General Fund line item 101-0000-361-2000.		
<b>COMMITTEE RECOMMENDATION:</b> Recommends approval.		<b>STAFF RECOMMENDATION:</b> Recommends approval.



## INTRODUCTORY ORDINANCE

AUTHORIZING THE CITY MANAGER TO EXECUTE A TWO (2) YEAR LEASE AGREEMENT BETWEEN THE CITY OF LAREDO AND THE LAREDO AMATEUR BOXING CLUB, INC. FOR USE OF THE "ORLANDO AND GABY CANIZALES BOXING GYM" LOCATED AT 1610 GUADALUPE STREET" A COPY OF WHICH IS ATTACHED AS EXHIBIT "A", FOR AN ANNUAL RENTAL FEE OF \$1.00; AND PROVIDING FOR EFFECTIVE DATE.

**WHEREAS**, the Laredo Amateur Boxing Club, Inc. provides a positive recreational opportunity for the "At-Risk" youth of Laredo; and

**WHEREAS**, the mission of the Laredo Amateur Boxing Club, Inc. is to provide the youth of Laredo with an alternative to destructive juvenile behavior; and

**WHEREAS**, the Laredo Amateur Boxing Club, Inc. offers youth boxing training as a recreational outlet through volunteer efforts; and

**WHEREAS**, the sport of boxing has developed a large following with the youth of Laredo; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

Section 1:      The City Manager is authorized to execute the lease agreement between the Laredo Amateur Boxing Club, Inc. and the City of Laredo for the Orlando & Gaby Canizales Boxing Gym located at 1610 Guadalupe Street, a copy of which is attached as exhibit "A".

Section 2:      This ordinance shall take effect as and from the date of passage.

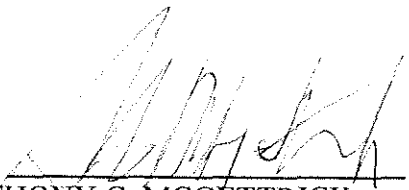
**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON  
THIS THE \_\_\_\_\_ DAY OF MAY, 2004.**

\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:  
JAIME L. FLORES  
CITY ATTORNEY

BY:   
\_\_\_\_\_  
ANTHONY C. MCGETTRICK  
ASSISTANT CITY ATTORNEY

**CITY OF LAREDO  
ORLANDO AND GABY CANIZALES BOXING GYM  
LEASE AGREEMENT**

This lease agreement is made and entered into by and between THE CITY OF LAREDO, a Municipal Corporation, referred to in this lease as Lessor, and THE LAREDO AMATEUR BOXING CLUB, INC., referred to in this lease as Lessee.

In consideration of the mutual covenants and agreements set forth in this lease, and other good and valuable consideration, Lessor does hereby demise and lease to Lessee, and Lessee does hereby lease from Lessor a building situated at 1610 Guadalupe in Laredo, Texas and more commonly known as the "Orlando and Gaby Canizales Boxing Gym" consisting of approximately 1,494 square feet.

**I. TERM OF LEASE**

The term of this lease shall be for a period of two (2) years, commencing on the April 4, 2004 and ending on April 3, 2006.

Lessor has the option of terminating the lease at any time during the two (2) year lease. If such option is exercised, the Lessor will give Lessee a thirty (30) day written notice of intent to terminate the lease.

**II. RENT**

The Lessee agrees to pay the Lessor as rent for the leased premises a total of one (\$1.00) dollar per year for the term of the lease. Rental payments shall be made to the City of Laredo by the 4<sup>th</sup> day of April. Checks shall be submitted to:

**City of Laredo Parks and Recreation Department  
2201 Piedra China  
Laredo, Texas 78043**

If the 4<sup>th</sup> of the month should fall on a weekend or legal holiday recognized by Lessor, the lease payment will be due on the first day following said weekend day or holiday.

EXHIBIT "A"

### III. USE OF PREMISES

The leased premises shall be used for the purposes listed below. In addition, the City of Laredo reserves the right to utilize the lease premises for City functions. The City will give Lessee a thirty (30) day written notice of intent to use the leased premises.

- (a) Administrative offices for the Laredo Amateur Boxing Club.
- (b) Conducting and operating a boxing gymnasium, athletics, and/or other physical recreational activities for the use and benefit of the community.
- (c) Conducting amateur boxing exhibitions and matches.
- (d) Conduction boxing instruction.
- (e) Fundraising events carried out by the Laredo Amateur Boxing Club.
- (f) Any and all activities compatible with its non-profit status.

Lessee shall not display, stock, offer to sell, or sell any products from automatic vending machines, in, on or from the leased premises without prior written consent from Lessor. If at any time the Lessee ceases to utilize the leased premises for purposes other than those mentioned above, **(and especially for warehouse purposes)**, the Lessee will be notified in writing of such discrepancy. If the Lessee does not remedy the discrepancy within five (5) days of the written notification from Lessor, the lease will automatically be terminated under Article X "Default" hereof. Lessee and its employees, agents, and servants shall at all times during the term of the lease and any extension hereof be governed by all rules prescribed by Lessor as to the operation and management of the facility.

### IV. WASTE, NUISANCE AND DELIVERY OF PREMISES

Lessor shall, at its own expense risk, maintain the plumbing, heating and air conditioning systems, fire protection, sprinkler system, all windows, main entrance door, and walkways surrounding the facility, including but not limited to repairs and all necessary replacement of these items. Lessor shall not, however, be liable for any damage to person or property resulting from Lessor's failure to make any repairs or perform any maintenance called for in this section unless, prior to the damages occurring, Lessee had given Lessor written notice of the need for the repair or maintenance and Lessor is entitled to reimbursement from the appropriate Lessee for any and all expenses reasonably incurred in connection with any maintenance, repair, or replacement required to Lessor pursuant to this section if the need for the maintenance repair, or replacement resulted from the negligence or fault of Lessee or of Lessee's agents, servants, or employees. This reimbursement shall be due immediately upon receipt by Lessee of an itemized list of such expenses, with interest at the rate of eight percent (8%) annually from the date of receipt of such notice until reimbursement by Lessee. Except as provided above, Lessee shall maintain the leased premises and keep them free from waste or nuisance throughout the lease term and any extension hereof. At the termination of the lease, Lessee shall surrender and deliver the leased premises to Lessor in as good a state

of repair and condition as they were in at the time Lessor delivered possession to Lessee, reasonable wear and tear and damage by fire, tornado, or other casualty excepted.

#### **V. TAXES, ASSESSMENTS, AND UTILITY CHARGES**

Lessee shall pay and fully discharge all taxes, special assessments, and governmental charges of every character imposed during the term of the lease on the furniture, trade fixtures, appliances, and other personal property placed by Lessee in, on, or about the leased premises.

Lessor shall pay all utility charges for water, electricity, garbage and sewer used in and about the facility during the term of this lease. In addition, the Lessee shall at his own expense, remove all garbage and waste from the leased premises to the designated truck pickup areas.

Lessor shall remove all garbage and rubbish from the leased premises during the term of this lease, and any extensions hereof.

#### **VI. ALTERNATIONS, ADDITIONS, AND IMPROVEMENTS**

Lessee shall not make any alterations, additions or improvements to the leased premises without the prior written consent of Lessor. Consent for nonstructural alterations, additions, or improvements shall not be unreasonably withheld by Lessor. All interior designs or future changes thereof must be approved by Lessor in writing.

All alterations, additions, or improvements made by Lessee shall become the property of Lessor at the termination of this lease. Lessor may, however, require the Lessee at his expense, remove any or all alterations, additions, and improvements installed or made by Lessee, and any other property placed in the premises by Lessee, upon termination of this lease. In the event that Lessor requires Lessee to remove such alterations, additions, or improvements, Lessee shall repair any damage to the premises caused by such removal.

Lessee shall not, without first obtaining the written permission of Lessor, erect or install shelves, bins, machinery, or other trade fixtures, signs or displays on any portion of the leased premises including exterior walls. Lessee shall have the right to remove all trade fixtures at the termination of this lease, provided Lessee is/are not in default under the lease and that the fixtures will be removable without structural damage to the premises. Lessee must repair all damages to the leased premises caused by removal of trade fixtures, and all such repairs must be completed prior to the termination of the lease. Any trade fixtures that have not been removed by Lessee at the termination of this lease shall be deemed abandoned by Lessee and shall automatically become the property of Lessor.

All signs or displays placed on the leased premises by Lessee shall be removed at the termination of this lease and Lessee shall repair any damage including, but not limited to, closing any holes caused by such removal.

## **VII. MECHANIC'S LIEN**

Lessee shall not permit a mechanic's lien or other lien to be placed upon the leased premises or upon improvements on the premises.

## **VIII. INSURANCE AND INDEMNITY**

Lessor shall, at its own expense, during the term of this lease, keep the leased premises insured against loss or damage by fire or other casualty.

Lessee shall, at its own expense, provide and maintain in force during the term of this lease and any extension hereof, public liability insurance for bodily injury, death and property damage in the aggregate amount of \$1,000,000.00 per occurrence with one or more insurance companies authorized to transact business in Texas and approved by Lessor. Lessee shall provide Lessor with a certificate of insurance showing coverage within thirty (30) days from the effective date of this lease and a copy of any renewals thereafter.

Lessee agrees to indemnify and hold Lessor harmless against any and all claims, demands, damages, costs, and expenses, including reasonable attorney's fees for the defense of such claims and demands arising from the conduct or management of Lessee's business on the leased premises or from its use of the leased premises, or from any breach on the part of Lessee of any conditions of this lease, or from any act or negligence of Lessee, its agents, contractors, employees, or licensees in or about the leased premises. In the event of any action or proceeding brought against Lessor by reason of any such claim, Lessee, upon from Lessor, agrees to defend the action or proceeding brought against Lessor by reason of any such claim by counsel acceptable to Lessor.

The public liability policy required herein shall provide that the same shall not be cancelled with thirty (30) days prior written notice to Lessor.

## **IX. DAMAGE OR DESTRUCTION OF PREMISES**

If the leased premises or any structures or improvements on the leased premises should be damaged or destroyed by fire, tornado, or other casualty, Lessee shall give immediate written notice of the damage or destruction to Lessor, including a description of the damage and, as far as known to Lessee, the cause of the damage.

If the leased premises or any part of the building or improvements composing the facility should be damaged or destroyed to any extent by fire, the elements, acts of God or other causes, Lessor may, at its option, either repair or restore the damaged premises or cancel this lease and return any unearned rent previously paid by Lessee hereunder. If the leased premises and improvements are untenable in whole or in part following such casualty, the rent payable hereunder during the period in which they are untenable shall be adjusted or abated, as applicable.

## **X. DEFAULT**

If rent is in arrears more than ten (10) days after it is due and written notice thereof has been received by Lessee for more than five (5) days or if Lessee shall remain in default under any other condition of this lease for a period of five (5) days after written notice thereof from Lessor, Lessor may, without notice to Lessee, terminate this lease, and reenter and take possession of the premises and remove all persons and property without being deemed guilty of any manner of trespass and re-let the premises, or any part of the premises for all or any part of the remainder of the lease term to a party satisfactory to Lessor, and at such monthly rental as Lessor may with reasonable diligence be able to source. Notwithstanding Lessor's right to past and future rents due, should monthly rental be less than the rental Lessee was obligated to pay under this lease, Lessee shall pay the expense of reletting plus that the amount of any deficiency in the rent to Lessor.

It is expressly agreed that in the event of default by Lessee under this lease, Lessor shall have a lien upon all goods, chattels, or personal property of any description belonging to Lessee that are placed in, or become a part of, the leased premises, as security for rent due and to become due during the lease term and any extension hereof. This lien shall not be in lieu of, or in any way affect, the statutory Landlord's lien but shall be in addition to the lien, and Lessee grants to Lessor a security interest in all personal property placed in or on the leased premises. Said contractual lien shall not prevent the sale by Lessee of any merchandise in the ordinary course of business. If in the event of Lessee's default, Lessor exercises the option to terminate the leasehold, reenter, and re-let the premises, as provided in the preceding paragraph. Lessor may take possession of all the Lessee's property on the premises. After given Lessee reasonable notice of the time and place of any public or private sale of its property Lessor may sell the property at public or private sale, for cash or on credit, for such prices and terms as Lessor deems best, with or without having the property present at the sale. The proceeds of the sale shall be applied first to the necessary and proper expense of removing, storing, and selling such property, then to the payment of any rent due or to become due under the lease, with the balance, if any, to be paid to Lessee.

A waiver by either Lessor or Lessee of a breach of this lease by the other party does not constitute a continuing waiver or a waiver of any subsequent breach of this lease.

## **XI. INSPECTION BY LESSOR**

Lessee shall permit Lessor and Lessor's agents, representatives, and employees to enter into and on the leased premises at all reasonable times for the purpose of inspection, maintenance, making repairs or alterations to the premises, or any other purpose necessary to protect Lessor's interest in the leased premises or to perform Lessor's duties under the lease.

## **XII. ASSIGNMENT, SUBLEASE, AND ENCUMBRANCE**

Lessee shall not sublet, assign, encumber, or otherwise transfer this lease or any right or interest in this lease, or in the leased premises. Lessee shall not allow the placement of a lien upon any of its personal property in or on the leased premises.

## **XIII. NOTICES AND ADDRESSES**

All notices required under this lease shall be hand delivered or sent by certified mail, return receipt requested, addressed to the other party, at the following address:

**Lessor: City of Laredo**  
1110 Houston Street  
P.O. Box 579  
Laredo, Texas 78042  
Attn: Horacio De Leon  
Parks and Recreation Director

**Lessee: The Laredo Amateur Boxing Club**  
1612 Guadalupe  
Laredo, Texas 78040  
Attn: Ricardo De Anda

Either party may change the address to which notices are to be sent by giving the other party notice of the new address in the manner provided in this section.



#### **XIV. PARTIES BOUND**

This agreement shall be binding upon, and insure to the benefit of, the parties to this lease and their respective heirs, executors, administrators, employees, agents, servants, legal representatives, and successors, when applicable and permitted herein.

#### **XV. TEXAS LAW TO APPLY**

This agreement shall be constructed under, and in accordance with, the laws of the State of Texas, and all obligations of the parties created by this lease are performable in Webb County, Texas.

#### **XVI. LEGAL CONSTRUCTION**

In case any one or more of the provisions contained in this agreement shall for any reason be held by a court of contempt jurisdiction to be invalid, illegal, or unenforceable, in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions of this agreement, and this agreement shall be construed as if the invalid, illegal or unenforceable provision had never been included in the agreement.

#### **XVII. PRIOR AGREEMENTS SUPERSEDED**

This agreement constitutes the sole and only agreement of the parties as to the leased premises and supersedes any prior understanding or written or oral agreements between the parties respecting the subject matter of the agreement.

#### **XVIII. AMENDMENT**

No amendment, modification, or alteration of the terms of this agreement shall be binding unless it is in writing, dated subsequent to the date of this agreement, duly executed by the parties to this agreement, and incorporated herein.

#### **XIX. RIGHTS AND REMEDIES CUMULATIVE**

The rights and remedies provided by this lease agreement are cumulative, and the use of any one right or remedy by either party shall preclude or waive its rights to use any or all other remedies provided by law. These rights and remedies are given in addition to any other rights the parties may have by law, statute, ordinance, or otherwise.

## **XX. ATTORNEY'S FEE**

If, as a result of a breach of this agreement by Lessee, the Lessor employs an attorney or attorneys to enforce its rights under this lease, the Lessee agrees to pay the Lessor the reasonable attorney's fees and costs incurred to enforce the lease.

## **XXI. FORCE MAJEURE**

Neither Lessor nor Lessee shall be required to perform any term, condition, or covenant in this lease so long as performance is delayed or prevented by force majeure which shall mean acts of God, strikes, lockouts, material or labor restrictions by any other governmental authority, not within the control of Lessor or Lessee and which by the exercise of due diligence Lessor or Lessee is unable, wholly or in part, to prevent or overcome.

## **XXII. TIME OF ESSENCE**

Time is of essence of this agreement. Executed this \_\_\_\_\_ day of April, 2004 at Laredo, Webb County, Texas.

CITY OF LAREDO:  
AN INDIVIDUAL:

AN INDIVIDUAL

\_\_\_\_\_  
BY: LARRY DOVALINA  
CITY MANAGER

\_\_\_\_\_  
RICARDO DE ANDA  
PRESIDENT  
THE LAREDO AMATEUR  
BOXING CLUB



# COUNCIL COMMUNICATION

<b>DATE:</b>  <b>04/19/2004</b>	<b>SUBJECT: PUBLIC HEARING AND INTRODUCTORY ORDINANCE</b> Amending the City of Laredo FY 2003-2004 annual budget by decreasing revenues and expenditures in the amount for the \$15,479 to reflect the actual grant amount of \$28,053 from the Texas Department of Health for the <i>Texas-Tamaulipas Border States Birth Defects Project: Neural Tube Defects (NTD) Pilot Project in Los Dos Laredos</i> of the City of Laredo Health Department for the period beginning April 1, 2004, through August 31, 2004; and authorizing the City Manager to amend the City of Laredo's FY 2003-2004 Full-Time Equivalent Position by including .27 Health Educator position.
<b>INITIATED BY:</b> Cynthia Collazo Asst. City Manager	<b>STAFF SOURCE:</b> Hector F. Gonzalez, M.D., M.P.H. Health Director
<b>PREVIOUS COUNCIL ACTION:</b> On June 16, 2003, Council approved Ordinance No. 2003-O-140 for the " <i>Los Dos Laredos</i> " <i>Binational Neural Tube Defects (NTD) Pilot Project</i> for the period of April 1, 2002, through September 30, 2003.	
<b>BACKGROUND:</b> The Texas Department of Health has contracted with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department.  The project established "The Texas-Tamaulipas Border States Birth Defects Project: Neural Tube Defect (NTD) Prevention Pilot in Los Dos Laredos" which addresses a prevention initiative due to historically high rates of NTDs in this area. The goals of the project include the following: <ol style="list-style-type: none"> <li>1. Enhance prevention, reduce recurrence, and occurrence of Neural Tube Defects (NTD) in Laredo, Texas;</li> <li>2. Enhance surveillance and monitoring activities and data exchange concerning cases between Tamaulipas and Texas; and,</li> <li>3. Organize and coordinate binational Health Council Meetings between Laredo, Nuevo Laredo, and Anahuac, Nuevo Leon, Mexico.</li> </ol> The initiative addresses mutual concerns and shall accomplish the following: <ul style="list-style-type: none"> <li>• Enhance Surveillance, monitoring activities and data exchange</li> <li>• Reduce the recurrence of NTD by at least 80% of the defected cases in Laredo, Texas.</li> </ul> This amendment to the budget also includes funds for a .27 Health Educator position (562 hours/year with benefits). Currently, the position of Health Educator is .50 FTE with benefits in the <i>Childhood Lead Poisoning Prevention Program</i> . The FTE will increase to .77 FTE with benefits and will serve to coordinate services as required by both grants.	
CONTINUED ON NEXT PAGE	
<b>FINANCIAL</b> The City of Laredo will receive \$28,053 for the <i>Texas-Tamaulipas Border States Birth Defects Project: Neural Tube Defects (NTD) Pilot Project in Los Dos Laredos</i> of the City of Laredo Health Department for the period beginning April 1, 2004, through August 31, 2004. This amount signifies a decrease of \$15,479 from the current appropriation. The revenue account is 226-0000-323-4090 and expenditure account is 226-6024.	
<b>RECOMMENDATION:</b>	<b>STAFF:</b> Recommends that Council introduce ordinance.

## ORDINANCE

**AMENDING THE CITY OF LAREDO FY 2003-2004 ANNUAL BUDGET BY DECREASING REVENUES AND EXPENDITURES IN THE AMOUNT FOR THE \$15,479 TO REFLECT THE ACTUAL GRANT AMOUNT OF \$28,053 FROM THE TEXAS DEPARTMENT OF HEALTH FOR THE *TEXAS-TAMAULIPAS BORDER STATES BIRTH DEFECTS PROJECT: NEURAL TUBE DEFECTS (NTD) PILOT PROJECT IN LOS DOS LAREDOS* OF THE CITY OF LAREDO HEALTH DEPARTMENT FOR THE PERIOD BEGINNING APRIL 1, 2004, THROUGH AUGUST 31, 2004; AND AUTHORIZING THE CITY MANAGER TO AMEND THE CITY OF LAREDO'S FY 2003-2004 FULL-TIME EQUIVALENT POSITION BY INCLUDING .27 HEALTH EDUCATOR POSITION.**

**WHEREAS**, the Texas Department of Health is contracting with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department, and

**WHEREAS**, the project established "The Texas-Tamaulipas Border States Birth Defects Project: Neural Tube Defect (NTD) Prevention Pilot in Los Dos Laredos" which addresses a prevention initiative due to historically high rates of NTDs in this area. The goals of the project include the following:

1. Enhance prevention, reduce recurrence, and occurrence of Neural Tube Defects (NTD) in Laredo, Texas;
2. Enhance surveillance and monitoring activities and data exchange concerning cases between Tamaulipas and Texas; and,
3. Organize and coordinate binational Health Council Meetings between Laredo, Nuevo Laredo, and Anahuac, Nuevo Leon, Mexico; and

**WHEREAS**, initiative addresses mutual concerns and shall accomplish the following:

- Enhance Surveillance, monitoring activities and data exchange
- Reduce the recurrence of NTD by at least 80% of the defected cases in Laredo, Texas.

**WHEREAS**, this amendment to the budget also includes funds for a .27 Health Educator position (562 hours/year with benefits). Currently, the position of Health Educator is .50 FTE with benefits in the *Childhood Lead Poisoning Prevention Program*. The FTE will increase to .77 FTE with benefits and will serve to coordinate services as required by both grants.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF  
THE CITY OF LAREDO THAT:**

**Section 1:** The City Manager is hereby authorized to amend the budget and to execute the contract and accept the grant and its provisions as set forth by the Texas Department of Health.

**Section 2:** The City of Laredo accepts funds in the amount of \$28,053 in funds for the "The Texas-Tamaulipas Border States Birth Defects Project: Neural Tube Defect (NTD) Prevention Pilot in Los Dos Laredos" of the City of Laredo Health Department. This is a decrease of \$15,479 from the actual budget.

**Section 3:** Revenue line item 226-0000-323-4090 funded by the Texas Department of Health is decreased from \$43,532 to \$28,053.

**Section 4:** Expenditure line item 226-6024 is decreased from \$43,532 to \$28,053.

**Section 5:** This action also authorizes an increase in the FTE for the Health Educator position already funded by 226-6042 at .50% by 27% for a total .77 FTE.

**Section 6:** The City Manager is hereby authorized to make transfers within the budget as allowable under the General Provisions as set forth by the Texas Department of Health to meet the necessary costs to accomplish the scope of work for the project.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR**

**ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.**

\_\_\_\_\_  
**ELIZABETH G. FLORES  
MAYOR**

**ATTEST:**

\_\_\_\_\_  
**GUSTAVO GUEVARA, JR.  
CITY SECRETARY**

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
**JAIME FLORES**

## BUDGET

CATERGORIES	APPROVED BUDGET		CHANGE		NEW BUDGET
REVENUES					
REVENUES	\$	43,532	\$	-15,479	\$ 28,053
PROGRAM INCOME		0		0	0
TOTAL REVENUES	\$	43,532		-15,479	\$ 28,053
EXPENSES					
PERSONNEL	\$	0	\$	8,320	\$ 8,320
FRINGE BENEFITS		0		3,597	3,597
TRAVEL		0		0	0
EQUIPMENT		0		2,700	2,700
SUPPLIES		16,772		-6,443	10,329
CONTRACTUAL		0		0	0
OTHER		26,760		-24,485	2,275
TOTAL DIRECT CHGS	\$	43,532	\$	-16,311	\$ 27,221
INDIRECT CHGS.		0		832	832
TOTAL DIRECT CHGS		43,532		-15,479	28,053
PROGRAM INCOME		0		0	0
TOTAL	\$	43,532	\$	-15,479	\$ 28,053

## PERSONNEL

	APPROVED	PROPOSED	PROPOSED
BUDGET 226-6024	FTEs	FTEs	CHANGE
PT - HEALTH EDUCATOR	0	0.27	0.27
WITH BENEFITS			
TOTAL	0	0.27	0.27





<b>COUNCIL COMMUNICATION</b>	
<b>DATE:</b>  04/19/2004	<b>SUBJECT: PUBLIC HEARING AND INTRODUCTORY ORDINANCE</b> Amending the City of Laredo FY 2003-2004 annual budget by increasing revenues and expenditures in the amount for the \$20,000 from the Texas Department of Health for the <i>Office of Border Health: Buena Vida Project</i> of the City of Laredo Health Department for the period beginning April 1, 2004, through August 31, 2004.
<b>INITIATED BY:</b> Cynthia Collazo Asst. City Manager	<b>STAFF SOURCE:</b> Hector F. Gonzalez, M.D., M.P.H. Health Director
<b>PREVIOUS COUNCIL ACTION:</b> None	
<b>BACKGROUND:</b> <p>The Texas Department of Health has contracted with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department.</p> <p>The Office of Border Health: Buena Vida Project shall administer an on-going program to improve the health of residents along the Texas-Mexico border by:</p> <ol style="list-style-type: none"> <li>1. Enhancing community awareness about diabetes, cancer, and cardiovascular diseases, and associated health risk factors;</li> <li>2. Enable local residents to make decisions leading to healthier lifestyle practices and improve the quality of their lives;</li> <li>3. Promote health and disease prevention among area residents; and</li> <li>4. Randomly screen clients for cholesterol levels and glucose levels in order to accomplish the project goals.</li> </ol> <p>The Texas Department of Health allows a maximum transfer of 10% of the total budget between categorical line items. Based on the revised goals and objectives of the project, 10% (\$2,000) is being allocated to Advertising (226-6031-543-6200) from Office Supplies (226-6031-542-0100).</p>	
CONTINUED ON NEXT PAGE	
<b>FINANCIAL</b> The City of Laredo will receive \$20,000 for the <i>Office of Border Health: Buena Vida Project</i> of the City of Laredo Health Department for the period beginning April 1, 2004, through August 31, 2004. The revenue account is 226-0000-323-4035 and expenditure account is 226-6031.	
<b>RECOMMENDATION:</b>	<b>STAFF:</b> Recommends that Council introduce ordinance.

# BUDGET

CATERGORIES		APPROVED BUDGET
REVENUES		
REVENUES	\$	20,000
PROGRAM INCOME		0
TOTAL REVENUES	\$	20,000
EXPENSES		
PERSONNEL	\$	0
FRINGE BENEFITS		0
TRAVEL		0
EQUIPMENT		0
SUPPLIES		8,000
CONTRACTUAL		0
OTHER		12,000
TOTAL DIRECT CHGS	\$	20,000
INDIRECT CHGS.		0
TOTAL DIRECT CHGS		20,000
PROGRAM INCOME		0
TOTAL	\$	20,000

# **ORDINANCE**

**AMENDING THE CITY OF LAREDO FY 2003-2004 ANNUAL BUDGET BY INCREASING REVENUES AND EXPENDITURES IN THE AMOUNT FOR THE \$20,000 FROM THE TEXAS DEPARTMENT OF HEALTH FOR THE OFFICE OF BORDER HEALTH: BUENA VIDA PROJECT OF THE CITY OF LAREDO HEALTH DEPARTMENT FOR THE PERIOD BEGINNING APRIL 1, 2004, THROUGH AUGUST 31, 2004.**

**WHEREAS,** the Texas Department of Health is contracting with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department, and

**WHEREAS,** the Office of Border Health: Buena Vida Project shall administer an on-going program to improve the health of residents along the Texas-Mexico border by:

1. Enhancing community awareness about diabetes, cancer, and cardiovascular diseases, and associated health risk factors;
2. Enable local residents to make decisions leading to healthier lifestyle practices and improve the quality of their lives;
3. Promote health and disease prevention among area residents; and
4. Randomly screen clients for cholesterol levels and glucose levels in order to accomplish the project goals.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

**Section 1:** The City Manager is hereby authorized to amend the budget and to execute the contract and accept the grant and its provisions as set forth by the Texas Department of Health.

**Section 2:** The City of Laredo accepts funds in the amount of \$20,000 in funds for the Office of Border Health: Buena Vida Project of the City of Laredo Health Department.

**Section 3:** Revenue line item 226-0000-323-4035 funded by the Texas Department of Health is hereby increased from \$0 to \$20,000.

**Section 4:** Expenditure line item 226-6031 is hereby increased from \$0 to \$20,000.

**Section 5:** The City Manager is hereby authorized to make transfers within the budget as allowable under the General Provisions as set forth by the Texas Department of Health to meet the necessary costs to accomplish the scope of work for the project.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR**


**ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.**

\_\_\_\_\_  
**ELIZABETH G. FLORES  
MAYOR**

**ATTEST:**

\_\_\_\_\_  
**GUSTAVO GUEVARA, JR.  
CITY SECRETARY**

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
**JAIME FLORES  
CITY ATTORNEY**



# COUNCIL COMMUNICATION

<b>DATE:</b>  <b>04/19/2004</b>	<b>SUBJECT: PUBLIC HEARING AND INTRODUCTORY ORDINANCE</b> Amending the City of Laredo FY 2003-2004 annual budget by increasing revenues and expenditures in the amount of \$4,995 from the Texas Department of Health for the Office of Border Health: HIV Awareness Project of the City of Laredo Health Department for the period beginning April 1, 2004, through August 31, 2004.																																		
<b>INITIATED BY:</b> Cynthia Collazo Asst. City Manager	<b>STAFF SOURCE:</b> Hector F. Gonzalez, M.D., M.P.H. Health Director																																		
<b>PREVIOUS COUNCIL ACTION:</b> None																																			
<b>BACKGROUND:</b>  <p>The Texas Department of Health has contracted with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department.</p> <p>The City of Laredo Health Department received notice of a mini-grant award on March 30, 2004, for an HIV Awareness Project to increase HIV awareness among adolescents regarding mode of transmission as measured through pre and post-tests. Small group educational presentations will be utilized. HIV awareness activities will be conducted in the Laredo/Nuevo Laredo area during Border Binational Health Week.</p>																																			
<b>BUDGET</b>																																			
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">CATEGORIES</th> <th style="text-align: right;">NEW BUDGET</th> </tr> </thead> <tbody> <tr> <td>REVENUES</td> <td></td> </tr> <tr> <td>TDH GRANT REVENUE</td> <td style="text-align: right;">\$ 4,995</td> </tr> <tr> <td>PROGRAM INCOME</td> <td style="text-align: right;">0</td> </tr> <tr> <td>TOTAL REVENUES</td> <td style="text-align: right;">\$ 4,995</td> </tr> <tr> <td>EXPENSES</td> <td></td> </tr> <tr> <td>PERSONNEL</td> <td style="text-align: right;">\$ 3,900</td> </tr> <tr> <td>FRINGE BENEFITS</td> <td style="text-align: right;">1,095</td> </tr> <tr> <td>TRAVEL</td> <td style="text-align: right;">0</td> </tr> <tr> <td>EQUIPMENT</td> <td style="text-align: right;">0</td> </tr> <tr> <td>SUPPLIES</td> <td style="text-align: right;">0</td> </tr> <tr> <td>CONTRACTUAL</td> <td style="text-align: right;">0</td> </tr> <tr> <td>OTHER</td> <td></td> </tr> <tr> <td>SUB-TOTAL</td> <td style="text-align: right;">\$ 4,995</td> </tr> <tr> <td>INDIRECT CHARGES</td> <td style="text-align: right;">0</td> </tr> <tr> <td>RESERVE (PROGRAM INC.)</td> <td style="text-align: right;">0</td> </tr> <tr> <td>TOTAL</td> <td style="text-align: right;">\$ 4,995</td> </tr> </tbody> </table>		CATEGORIES	NEW BUDGET	REVENUES		TDH GRANT REVENUE	\$ 4,995	PROGRAM INCOME	0	TOTAL REVENUES	\$ 4,995	EXPENSES		PERSONNEL	\$ 3,900	FRINGE BENEFITS	1,095	TRAVEL	0	EQUIPMENT	0	SUPPLIES	0	CONTRACTUAL	0	OTHER		SUB-TOTAL	\$ 4,995	INDIRECT CHARGES	0	RESERVE (PROGRAM INC.)	0	TOTAL	\$ 4,995
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TOTAL	\$ 4,995																																		
<b>FINANCIAL:</b> The City of Laredo will receive \$4,995 in funds for the HIV Awareness Project of the City of Laredo Health Department for the period beginning April 1, 2004, through August 31 2004, increasing revenue line item 226-0000-323-4039, and expenditure line item 226-6032.																																			
<b>RECOMMENDATION:</b>	<b>STAFF:</b> Recommends that Council introduce ordinance.																																		

# **ORDINANCE**

**AMENDING THE CITY OF LAREDO FY 2003-2004 ANNUAL BUDGET BY INCREASING REVENUES AND EXPENDITURES IN THE AMOUNT OF \$4,995 FROM THE TEXAS DEPARTMENT OF HEALTH FOR THE OFFICE OF BORDER HEALTH: HIV AWARENESS PROJECT OF THE CITY OF LAREDO HEALTH DEPARTMENT FOR THE PERIOD BEGINNING APRIL 1, 2004, THROUGH AUGUST 31, 2004.**

**WHEREAS**, the Texas Department of Health is contracting with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department, and

**WHEREAS**, City of Laredo Health Department received notice of a mini-grant award on March 30, 2004, for an HIV Awareness Project to increase HIV awareness among adolescents regarding mode of transmission as measured through pre and post-tests. Small group educational presentations will be utilized. HIV awareness activities will be conducted in the Laredo/Nuevo Laredo area during Border Binational Health Week.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

- Section 1:** The City Manager is hereby authorized to amend the budget and to execute the contract and accept the grant and its provisions as set forth by the Texas Department of Health.
- Section 2:** The City of Laredo accepts funds in the amount of \$4,995 in funds for the Office of Border Health: HIV Awareness Project of the City of Laredo Health Department.
- Section 3:** Revenue line item 226-0000-323-4039 funded by the Texas Department of Health is hereby increased from \$0 to \$4,995.
- Section 4:** Expenditure line item 226-6032 is hereby increased from \$0 to \$4,995.
- Section 5:** The City Manager is hereby authorized to make transfers within the budget as allowable under the General Provisions as set forth by the Texas Department of Health to meet the necessary costs to accomplish the scope of work for the project.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR**


ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
**ELIZABETH G. FLORES**  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**GUSTAVO GUEVARA, JR.**  
**CITY SECRETARY**

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
**JAIME FLORES**  
**CITY ATTORNEY**





# COUNCIL COMMUNICATION

<b>DATE:</b>  <b>04/19/2004</b>	<b>SUBJECT: PUBLIC HEARING AND INTRODUCTORY ORDINANCE</b> Amending the City of Laredo FY 2003-2004 annual budget by increasing revenues and expenditures in the amount of \$3,500 from the Texas Department of Health for the Office of Border Health: Environmental Epidemiological Study Project of the City of Laredo Health Department for the period beginning April 1, 2004, through August 31, 2004.																																		
<b>INITIATED BY:</b> Cynthia Collazo Asst. City Manager	<b>STAFF SOURCE:</b> Hector F. Gonzalez, M.D., M.P.H. Health Director																																		
<b>PREVIOUS COUNCIL ACTION:</b> None																																			
<b>BACKGROUND:</b>  <p>The Texas Department of Health has contracted with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department.</p> <p>The City of Laredo Health Department received notice of a mini-grant award on March 30, 2004, for an Environmental Epidemiological Study Project in the amount of \$3,500. This project will complete a study of heavy metal toxins in blood of residents at the Former Laredo Air Force Base (FLAB).</p> <div style="text-align: center; margin: 10px 0;"> <b>BUDGET</b> </div> <table border="1" style="margin: auto; border-collapse: collapse; width: 60%;"> <thead> <tr> <th style="text-align: left;">CATEGORIES</th> <th style="text-align: right;">NEW BUDGET</th> </tr> </thead> <tbody> <tr> <td colspan="2"><b>REVENUES</b></td> </tr> <tr> <td>TDH GRANT REVENUE</td> <td style="text-align: right;">\$ 3,500</td> </tr> <tr> <td>PROGRAM INCOME</td> <td style="text-align: right;">0</td> </tr> <tr> <td><b>TOTAL REVENUES</b></td> <td style="text-align: right;"><b>\$ 3,500</b></td> </tr> <tr> <td colspan="2"><b>EXPENSES</b></td> </tr> <tr> <td>PERSONNEL</td> <td style="text-align: right;">\$ 0</td> </tr> <tr> <td>FRINGE BENEFITS</td> <td style="text-align: right;">0</td> </tr> <tr> <td>TRAVEL</td> <td style="text-align: right;">0</td> </tr> <tr> <td>EQUIPMENT</td> <td style="text-align: right;">0</td> </tr> <tr> <td>SUPPLIES</td> <td style="text-align: right;">500</td> </tr> <tr> <td>CONTRACTUAL</td> <td style="text-align: right;">3,000</td> </tr> <tr> <td>OTHER</td> <td style="text-align: right;"></td> </tr> <tr> <td><b>SUB-TOTAL</b></td> <td style="text-align: right;"><b>\$ 3,500</b></td> </tr> <tr> <td>INDIRECT CHARGES</td> <td style="text-align: right;">0</td> </tr> <tr> <td>RESERVE (PROGRAM INC.)</td> <td style="text-align: right;">0</td> </tr> <tr> <td><b>TOTAL</b></td> <td style="text-align: right;"><b>\$ 3,500</b></td> </tr> </tbody> </table>		CATEGORIES	NEW BUDGET	<b>REVENUES</b>		TDH GRANT REVENUE	\$ 3,500	PROGRAM INCOME	0	<b>TOTAL REVENUES</b>	<b>\$ 3,500</b>	<b>EXPENSES</b>		PERSONNEL	\$ 0	FRINGE BENEFITS	0	TRAVEL	0	EQUIPMENT	0	SUPPLIES	500	CONTRACTUAL	3,000	OTHER		<b>SUB-TOTAL</b>	<b>\$ 3,500</b>	INDIRECT CHARGES	0	RESERVE (PROGRAM INC.)	0	<b>TOTAL</b>	<b>\$ 3,500</b>
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<b>TOTAL</b>	<b>\$ 3,500</b>																																		
<b>FINANCIAL:</b> The City of Laredo will receive \$3,500 in funds for the Environmental Epidemiological Study Project of the City of Laredo Health Department for the period beginning April 1, 2004, through August 31 2004, increasing revenue line item 226-0000-323-4044, and expenditure line item 226-6033.																																			
<b>RECOMMENDATION:</b>	<b>STAFF:</b> Recommends that Council introduce ordinance.																																		

## **ORDINANCE**

**AMENDING THE CITY OF LAREDO FY 2003-2004 ANNUAL BUDGET BY INCREASING REVENUES AND EXPENDITURES IN THE AMOUNT OF \$3,500 FROM THE TEXAS DEPARTMENT OF HEALTH FOR THE OFFICE OF BORDER HEALTH: ENVIRONMENTAL EPIDEMIOLOGICAL STUDY PROJECT OF THE CITY OF LAREDO HEALTH DEPARTMENT FOR THE PERIOD BEGINNING APRIL 1, 2004, THROUGH AUGUST 31, 2004.**

**WHEREAS**, the Texas Department of Health is contracting with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department, and

**WHEREAS**, the City of Laredo Health Department received notice of a mini-grant award on March 30, 2004, for an Environmental Epidemiological Study Project in the amount of \$3,500. This project will complete a study of heavy metal toxins in blood of residents at the Former Laredo Air Force Base (FLAB).

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

**Section 1:** The City Manager is hereby authorized to amend the budget and to execute the contract and accept the grant and its provisions as set forth by the Texas Department of Health.

**Section 2:** The City of Laredo accepts funds in the amount of \$3,500 in funds for the Office of Border Health: Environmental Epidemiological Study Project of the City of Laredo Health Department.

**Section 3:** Revenue line item 226-0000-323-4044 funded by the Texas Department of Health is hereby increased from \$0 to \$3,500.

**Section 4:** Expenditure line item 226-6033 is hereby increased from \$0 to \$3,500.

**Section 5:** The City Manager is hereby authorized to make transfers within the budget as allowable under the General Provisions as set forth by the Texas Department of Health to meet the necessary costs to accomplish the scope of work for the project.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR**

**ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.**

---


**ELIZABETH G. FLORES**  
**MAYOR**

**ATTEST:**

---

**GUSTAVO GUEVARA, JR.**  
**CITY SECRETARY**

**APPROVED AS TO FORM:**



---

**JAIME FLORES**  
**CITY ATTORNEY**



**COUNCIL COMMUNICATION**

<b>DATE:</b>  <b>04/19/2004</b>	<b>SUBJECT: PUBLIC HEARING AND INTRODUCTORY ORDINANCE</b> Amending the City of Laredo FY 2003-2004 annual budget by increasing revenues and expenditures in the amount of \$2,000 from the Texas Department of Health for the Office of Border Health: Tuberculosis Directly Observed Therapy (DOT) Project of the City of Laredo Health Department for the period beginning April 1, 2004, through August 31, 2004.																																		
<b>INITIATED BY:</b> Cynthia Collazo Asst. City Manager	<b>STAFF SOURCE:</b> Hector F. Gonzalez, M.D., M.P.H. Health Director																																		
<b>PREVIOUS COUNCIL ACTION:</b> None																																			
<b>BACKGROUND:</b>  The Texas Department of Health has contracted with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department.  The City of Laredo Health Department received notice of a mini-grant award on March 30, 2004, for a Tuberculosis Directly Observed Therapy Project in the amount of \$2,000. This project will provide 250 additional Directly Observed therapy visits to tuberculosis patients in Webb County compared to the same period last year.  <div style="text-align: center;">BUDGET</div> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">CATEGORIES</th> <th style="text-align: right;">NEW BUDGET</th> </tr> </thead> <tbody> <tr> <td>REVENUES</td> <td></td> </tr> <tr> <td>TDH GRANT REVENUE</td> <td style="text-align: right;">\$ 2,000</td> </tr> <tr> <td>PROGRAM INCOME</td> <td style="text-align: right;">0</td> </tr> <tr> <td>TOTAL REVENUES</td> <td style="text-align: right;">\$ 2,000</td> </tr> <tr> <td>EXPENSES</td> <td></td> </tr> <tr> <td>PERSONNEL</td> <td style="text-align: right;">\$ 0</td> </tr> <tr> <td>FRINGE BENEFITS</td> <td style="text-align: right;">0</td> </tr> <tr> <td>TRAVEL</td> <td style="text-align: right;">2,000</td> </tr> <tr> <td>EQUIPMENT</td> <td style="text-align: right;">0</td> </tr> <tr> <td>SUPPLIES</td> <td style="text-align: right;">0</td> </tr> <tr> <td>CONTRACTUAL</td> <td style="text-align: right;">0</td> </tr> <tr> <td>OTHER</td> <td></td> </tr> <tr> <td>SUB-TOTAL</td> <td style="text-align: right;">\$ 2,000</td> </tr> <tr> <td>INDIRECT CHARGES</td> <td style="text-align: right;">0</td> </tr> <tr> <td>RESERVE (PROGRAM INC.)</td> <td style="text-align: right;">0</td> </tr> <tr> <td>TOTAL</td> <td style="text-align: right;">\$ 2,000</td> </tr> </tbody> </table>		CATEGORIES	NEW BUDGET	REVENUES		TDH GRANT REVENUE	\$ 2,000	PROGRAM INCOME	0	TOTAL REVENUES	\$ 2,000	EXPENSES		PERSONNEL	\$ 0	FRINGE BENEFITS	0	TRAVEL	2,000	EQUIPMENT	0	SUPPLIES	0	CONTRACTUAL	0	OTHER		SUB-TOTAL	\$ 2,000	INDIRECT CHARGES	0	RESERVE (PROGRAM INC.)	0	TOTAL	\$ 2,000
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TOTAL	\$ 2,000																																		
<b>FINANCIAL:</b> The City of Laredo will receive \$2,000 in funds for a Tuberculosis Directly Observed Therapy Project of the City of Laredo Health Department for the period beginning April 1, 2004, through August 31 2004, increasing revenue line item 226-0000-323-4045, and expenditure line item 226-6034.																																			
<b>RECOMMENDATION:</b>	<b>STAFF:</b> Recommends that Council introduce ordinance.																																		

## **ORDINANCE**

**AMENDING THE CITY OF LAREDO FY 2003-2004 ANNUAL BUDGET BY INCREASING REVENUES AND EXPENDITURES IN THE AMOUNT OF \$2,000 FROM THE TEXAS DEPARTMENT OF HEALTH FOR A TUBERCULOSIS DIRECTLY OBSERVED THERAPY PROJECT OF THE CITY OF LAREDO HEALTH DEPARTMENT FOR THE PERIOD BEGINNING APRIL 1, 2004, THROUGH AUGUST 31, 2004.**

**WHEREAS**, the Texas Department of Health is contracting with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department, and

**WHEREAS**, the City of Laredo Health Department received notice of a mini-grant award on March 30, 2004, for a Tuberculosis Directly Observed Therapy Project in the amount of \$2,000. This project will provide 250 additional Directly Observed therapy visits to tuberculosis patients in Webb County compared to the same period last year.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

**Section 1:** The City Manager is hereby authorized to amend the budget and to execute the contract and accept the grant and its provisions as set forth by the Texas Department of Health.

**Section 2:** The City of Laredo accepts funds in the amount of \$2,000 in funds for the Office of Border Health: Tuberculosis Directly Observed Therapy Project of the City of Laredo Health Department.

**Section 3:** Revenue line item 226-0000-323-4045 funded by the Texas Department of Health is hereby increased from \$0 to \$2,000.

**Section 4:** Expenditure line item 226-6034 is increased from \$0 to \$2,000.

**Section 5:** The City Manager is hereby authorized to make transfers within the budget as allowable under the General Provisions as set forth by the Texas Department of Health to meet the necessary costs to accomplish the scope of work for the project.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR**

**ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.**

---

**ELIZABETH G. FLORES**  
**MAYOR**

**ATTEST:**

---

**GUSTAVO GUEVARA, JR.**  
**CITY SECRETARY**

**APPROVED AS TO FORM:**



---

**JAIME FLORES**  
**CITY ATTORNEY**





## COUNCIL COMMUNICATION

<b>DATE:</b> 04/19/04	<b>SUBJECT: PUBLIC HEARING AND INTRODUCTORY ORDINANCE</b> Amending the City of Laredo Fiscal Year 2004 Recreation Fund annual budget by appropriating revenues and expenditures in the amount of \$15,000 for the administration of recreation programs and authorizing the City Manager to implement said budget amendment.																						
<b>INITIATED BY:</b> Larry Dovalina City Manager		<b>STAFF SOURCE:</b> Horacio De Leon, Jr. Parks and Recreation Director																					
<b>PREVIOUS COUNCIL ACTION:</b>  None																							
<b>BACKGROUND:</b>  The Parks and Recreation Department is offering increased recreational programming activities and has implemented several new activities not anticipated. This fiscal year (2004), Parks and Recreation administered and coordinated more recreational programming activities resulting in excess revenue and expenditures as evidenced in the growing number of participants at the various facilities. A cheerleading class not anticipated during last year's budget has resulted in a very successful program and budgeted revenues and expenditures have exceeded projected amounts.																							
<b>FINANCIAL IMPACT:</b> The Recreation Fund(248) will be amended as follows: <table style="width: 100%; margin-top: 10px;"> <thead> <tr> <th style="width: 40%;"></th> <th style="width: 15%; text-align: center;">Annual Budget FY 03-04</th> <th style="width: 15%; text-align: center;">Proposed Amendment</th> <th style="width: 30%; text-align: center;">Proposed Amended Budget FY 03-04</th> </tr> </thead> <tbody> <tr> <td><b>Revenues:</b></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Classes &amp; Lessons</td> <td style="text-align: right;">\$16,000</td> <td style="text-align: right;">\$15,000</td> <td style="text-align: right;">\$31,000</td> </tr> <tr> <td><b>Expenditures:</b></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Classes &amp; Lessons/Contract Labor</td> <td style="text-align: right;">\$10,000</td> <td style="text-align: right;">\$15,000</td> <td style="text-align: right;">\$25,000</td> </tr> </tbody> </table>					Annual Budget FY 03-04	Proposed Amendment	Proposed Amended Budget FY 03-04	<b>Revenues:</b>				Classes & Lessons	\$16,000	\$15,000	\$31,000	<b>Expenditures:</b>				Classes & Lessons/Contract Labor	\$10,000	\$15,000	\$25,000
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<b>Expenditures:</b>																							
Classes & Lessons/Contract Labor	\$10,000	\$15,000	\$25,000																				
<b>COMMITTEE RECOMMENDATION:</b>  N/A		<b>STAFF RECOMMENDATION:</b>  Recommends approval.																					

## INTRODUCTORY ORDINANCE

**AMENDING THE CITY OF LAREDO FISCAL YEAR 2004 RECREATION FUND ANNUAL BUDGET BY APPROPRIATING REVENUES AND EXPENDITURES IN THE AMOUNT OF \$15,000 FOR THE ADMINISTRATION OF RECREATION PROGRAMS AND AUTHORIZING THE CITY MANAGER TO IMPLEMENT SAID BUDGET AMENDMENT.**

**WHEREAS**, in September, 2003, the City Council adopted the fiscal year 2004 annual budget; and

**WHEREAS**, the Parks and Recreation Department has implemented additional programming; and

**WHEREAS**, the Parks and Recreation Department has received additional monies and incurred added expenditures through added programming.

**NOW THEREFORE**, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Recreation Fund (248) is hereby amended as follows:

	Annual Budget FY 03-04	Proposed Amendment	Proposed Amended Budget FY 03-04
<b>Revenues:</b>			
Classes & Lessons	\$16,000	\$15,000	\$31,000
<b>Expenditures:</b>			
Classes & Lessons/Contract Labor	\$10,000	\$15,000	\$25,000

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE  
\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:  
JAIME L. FLORES  
CITY ATTORNEY

BY: 

~~ANTHONY G. MCGETTRICK~~

ASSISTANT CITY ATTORNEY



<b>DATE:</b>  4-19-04	<b>SUBJECT: PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE</b> Amending the City of Laredo FY 2003/2004 Airport Fund, Noise Abatement Fund and Airport Construction Fund to recognize additional revenues from two grants received from the Federal Aviation Administration Airport Improvement Program being Grant Project No. 3-48-0136-40-04 in the amount of \$ 6,000,000.00 for acquisition of residential structures, sound insulate residences and acquire avigation easements and Grant Project No. 3-48-0136-41-2003 in the amount of \$4,276,134.00 for construction of Engineered Materials Arresting System for Runway 35L, rehabilitate portion of Taxiway System and construct cargo pads at the Laredo International Airport and appropriating said grant revenue in the Noise Abatement and Airport Construction fund and local match in the amount of \$540,850 from the Airport opening fund balance to the appropriate expenditure accounts and authorizing the City Manager to implement said budget amendment.	
<b>INITIATED BY:</b> Jose L. Flores, Airport Director Cynthia Collazo, Assistant City Manager		<b>STAFF SOURCE:</b> Jose L. Flores
<b>PREVIOUS ACTION:</b> On March 29, 2004 City Council approved Resolution 2004-R-030 authorizing the City Manager to submit the grant applications.		
<b>BACKGROUND:</b>  The Federal Aviation Administration is requesting that the City of Laredo submit two grant applications for federal Airport Improvement Program (AIP) assistance in the amount of \$6,000,000.00 for the purpose of noise abatement and a second application in the amount of \$4,276,134.00 for the purpose of installing an EMAS, rehabilitating a portion of the taxiway system and constructing cargo pads.  Grant Project No. 40 - Funding for the noise mitigation project will give continuance to the City's noise abatement program. Approximately 112 families or approximately 560 people will be positively impacted by this grant. The acquisition of the Runway Protection Zone parcel will be used as City's local match.  Grant Project No. 41- Installation of the EMAS will enhance runway safety. Rehabilitation of a portion of the taxiway system will enhance safety and capacity. Construction of concrete cargo pads will enhance safety and capacity.		
<b>FINANCIAL: (Attached)</b>		
<b>RECOMMENDATION:</b> The Airport Advisory Committee recommended approval of Resolution 2004-R-030.	<b>STAFF:</b> That the City Manager be authorized to implement the proposed FY 2003-2004 budget amendment.	

FINANCIAL: (PAGE 2)

	Account No.	Amended Budget	Adjustment	Proposed Amended Budget
<b>FAA Grant No.40</b>				
<b>Revenues:</b>				
FAA Grant No.40 Revenue	254-0000-322-2055	0.00	6,000,000.00	6,000,000.00
Transfer In From Airport Fund	254-0000-393-0242	275,338.00	<u>315,790.00</u>	591,128.00
			<u>6,315,790.00</u>	
<b>Expenses:</b>				
Personnel	254-3660-581-XXXX	0.00	100,000.00	100,000.00
Land	254-3660-585-9101	0.00	5,495,790.00	5,495,790.00
Improv. Other Than Build.	254-3660-585-9301	0.00	600,000.00	600,000.00
Reserve Appropriation	254-3660-584-9900	0.00	<u>120,000.00</u>	120,000.00
			<u>6,315,790.00</u>	
<b>FAA Grant No. 41</b>				
<b>Revenues:</b>				
FAA Grant No.41 Revenue	433-0000-322-2056	0.00	4,276,134.00	4,276,134.00
Transfer In Airport Fund	433-0000-393-0242	2,028,813.00	<u>225,060.00</u>	2,253,873.00
			<u>4,501,194.00</u>	
<b>Expenses:</b>				
Engineering Fees	433-3661-583-5512	0.00	225,000.00	225,000.00
Testing Fees	433-3661-583-5514	0.00	25,000.00	25,000.00
Inspection Fees	433-3661-583-5515	0.00	50,000.00	50,000.00
Improv. Other Than Building	433-3661-585-9301	0.00	4,200,194.00	4,200,194.00
Reserve Appropriation	433-3661-584-9900	0.00	<u>1,000.00</u>	1,000.00
			<u>4,501,194.00</u>	
<b>Airport Fund</b>				
<b>Opening Balance</b>		3,466,486.00	-540,850.00	2,925,636.00
<b>Expenses</b>				
Transfer To Airport Construction	242-3605-597-0433	0.00	225,060.00	225,060.00
Transfer To Noise Abatement	242-3605-597-0254	0.00	<u>315,790.00</u>	315,790.00
			<u>540,850.00</u>	

AN ORDINANCE

AMENDING THE CITY OF LAREDO FY 2003/2004 AIRPORT FUND, NOISE ABATEMENT FUND, AND AIRPORT CONSTRUCTION FUND TO RECOGNIZE ADDITIONAL REVENUES FROM TWO GRANTS RECEIVED FROM THE FEDERAL AVIATION ADMINISTRATION AIRPORT IMPROVEMENT PROGRAM BEING GRANT PROJECT NO. 3-48-0136-40-04 IN THE AMOUNT OF \$ 6,000,000.00 FOR ACQUISITION OF RESIDENTIAL STRUCTURES, SOUND INSULATE RESIDENCES AND ACQUIRE AVIGATION EASEMENTS AND GRANT PROJECT NO. 3-48-0136-41-2003 IN THE AMOUNT OF \$4,276,134.00 FOR CONSTRUCTION OF ENGINEERED MATERIALS ARRESTING SYSTEM FOR RUNWAY 35L, REHABILITATE PORTION OF TAXIWAY SYSTEM AND CONSTRUCT CARGO PADS AT THE LAREDO INTERNATIONAL AIRPORT AND APPROPRIATING SAID GRANT REVENUE IN THE NOISE ABATEMENT AND AIRPORT CONSTRUCTION FUND AND LOCAL MATCH IN THE AMOUNT OF \$540,850 FROM THE AIRPORT OPENING FUND BALANCE TO THE APPROPRIATE EXPENDITURE ACCOUNTS AND AUTHORIZING THE CITY MANAGER TO IMPLEMENT SAID BUDGET AMENDMENT.

WHEREAS, the Federal Aviation Administration has approved two Airport Improvement Program grants being Grant Project No. 3-48-0136-40-04 in the amount of \$6,000,000.00 for acquisition of residential structures, sound insulate residences and acquire avigation easements and Grand Project No. 3-48-0136-41-04 in the amount of 3-38-0136-41-04 in the amount of \$4,276,134.00 for construction of Engineered Materials Arresting System for Runway 35L, rehabilitate portion of Taxiway System and construct cargo pads at the Laredo International Airport and appropriating said grant revenue in the Noise Abatement and Airport Construction fund and local match in the amount of \$540,850 from the opening fund balance to the appropriate expenditure accounts; and authorizing the City Manager to implement said budget amendment; and

WHEREAS, the Airport Director recommends that the City Council approve the proposed budget amendment to the City of Laredo FY 2003-2004 Airport Fund, Noise Abatement Fund, and Airport Construction Fund to recognize the additional revenue and to appropriate like expenditures to include local match to said grants, in furtherance of the development of the Laredo International Airport and as a support to the maintenance and operation of the Laredo International Airport.

WHEREAS, the City Council of the City of Laredo finds that said budget amendment is in the best interest of the City of Laredo; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:



Section 1: The City Manager be and is hereby authorized to amend the City of Laredo FY 2003-2004 Airport Budget, Noise Abatement Budget and Airport Construction Budget to recognize the additional revenues from two Federal Aviation Administration Airport Improvement Program Grants: Project No. 3-48-0136-40-04 in the amount of \$6,000,000.00 for acquisition of residential structures, sound insulate residences and acquire avigation easements and Project No. 3-48-0136-41-04 in the amount of 3-38-0136-41-04 in the amount of \$4,276,134.00 for construction of Engineered Materials Arresting System for Runway 35L, rehabilitate portion of Taxiway System and construct cargo pads at the Laredo International Airport and appropriating said grant revenue in the Noise Abatement and Airport Construction fund and local match in the amount of \$540,850 from the opening fund balance to the appropriate expenditure accounts; and authorizing the City Manager to implement said budget amendment.

Section 2: This Ordinance shall become effective upon passage hereof.

PASSED BY THE CITY COUNCIL AND APROVED BY THE MAYOR ON  
THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:  
JAIME L. FLORES  
CITY ATTORNEY

BY: Valeria M. Acevedo  
VALERIA M. ACEVEDO  
ASSISTANT CITY ATTORNEY



## COUNCIL COMMUNICATION

<b>DATE:</b> 04/19/04	<b>SUBJECT: PUBLIC HEARING AND INTRODUCTORY ORDINANCE</b> Authorizing the City Manager to execute a one (1) year lease agreement between the City of Laredo Parks and Recreation Department and "Escuela de Futbol Soccer Americas Laredo" for use of two (2) soccer fields at the southern area of Father McNaboe Park formerly known as River Oaks Park for a fee of \$200.00 per month plus the cost of utilities. The primary purpose of this agreement is to institute a soccer program for the youth of Laredo with the understanding that the fields are open for public use during non – program hours.	
<b>INITIATED BY:</b> Larry Dovalina City Manager		<b>STAFF SOURCE:</b> Horacio De Leon, Jr. Parks and Recreation Director
<b>PREVIOUS COUNCIL ACTION:</b>  None		
<b>BACKGROUND:</b>  The "Escuela de Futbol Soccer Americas Laredo" is a branch of a renowned professional Mexican soccer league well-regarded world-wide.  This soccer school is newly operational in the City of Laredo and is offering the youth of the city an opportunity to receive professional instructional training in the sport of soccer.  As the sport of soccer has grown in popularity with the many Laredoans both young and old, this proposed soccer program would provide a great training ground for young developing soccer players to increase their skill level.		
<b>FINANCIAL IMPACT:</b>  Revenues collected from this lease agreement will be reflected in General Fund account number 101-0000-361-2011.		
<b>COMMITTEE RECOMMENDATION:</b>  N/A		<b>STAFF RECOMMENDATION:</b>  Recommends approval.

## **INTRODUCTORY ORDINANCE**

**AUTHORIZING THE CITY MANAGER TO EXECUTE A ONE (1) YEAR LEASE AGREEMENT BETWEEN THE CITY OF LAREDO PARKS AND RECREATION DEPARTMENT AND "ESCUELA DE FUTBOL SOCCER AMERICAS LAREDO" FOR USE OF TWO (2) SOCCER FIELDS AT THE SOUTHERN AREA OF FATHER MCNABOE PARK FORMERLY KNOWN AS RIVER OAKS PARK FOR A FEE OF \$200.00 PER MONTH PLUS THE COST OF UTILITIES. THE PRIMARY PURPOSE OF THIS AGREEMENT IS TO INSTITUTE A SOCCER PROGRAM FOR THE YOUTH OF LAREDO WITH THE UNDERSTANDING THAT THE FIELDS ARE OPEN FOR PUBLIC USE DURING NON – PROGRAM HOURS.**

**WHEREAS**, the "Escuela de Futbol Soccer Americas Laredo" is a branch of a highly regarded Mexican soccer league known world-wide; and

**WHEREAS**, the sport of soccer has grown in popularity with many Laredoans both young and old; and

**WHEREAS**, this soccer school is offering the youth of Laredo an opportunity to receive professional instructional soccer training; and

**WHEREAS**, professional soccer training will provide young players an opportunity to increase their skill levels, ultimately becoming better players.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

Section 1: The City Manager is authorized to execute a one (1) year lease agreement between the City of Laredo Parks and Recreation Department and the "Escuela de Futbol Soccer Americas Laredo" for use of two soccer fields for a fee of \$200.00 per month.

Section 2: This ordinance shall take effect as and from the date of passage.

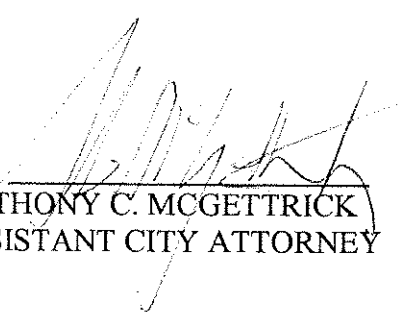
PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:  
JAIME L. FLORES  
CITY ATTORNEY

BY:   
\_\_\_\_\_  
ANTHONY C. MCGETTRICK  
ASSISTANT CITY ATTORNEY

STATE OF TEXAS     §  
                              §  
COUNTY OF WEBB   §

KNOW ALL MEN BY THESES PRESENTS:

### **Lease Agreement**

For the use of two (2) Father McNaboe Soccer Fields located at 1400 Lowry Road by the Escuela de Futbol Soccer Americas Laredo.

### **Witnesseth:**

This Agreement made and entered into this 1<sup>st</sup> day of May, 2004, by and between the City of Laredo, Texas, a Municipal Corporation, acting by and through its City Manager, hereinafter referred to as "Lessor" and the Escuela de Futbol Soccer Americas Laredo acting by and through its President, hereinafter referred to as "Lessee" for the purpose of conducting a Soccer Training Program at said Premises.

### **I. Rental**

Lessee covenants and agrees to pay to Lessor as rent for said premises the sum of TWO HUNDRED DOLLARS (\$200.00) per month, payable on the first of each month upon execution of this lease agreement, and the same each month thereafter until the termination of the lease.

### **II. Term**

The Term of This Agreement Shall Be for One (1) Year, Beginning on the 1<sup>st</sup> day of May, 2004 and Ending on The 31<sup>st</sup> of April 2005.

### **III. Duties of the Lessee**

Lessee shall be subject to the following covenants and conditions:

1. Lessee agrees that the Parks and Recreation Department of the City of Laredo shall have joint use of said premises during the term of this agreement. However, the Lessee shall have the right of exclusive control of the said premises during its use for soccer in accordance with the schedule prepared by lessee and provided to Lessor and made part of this agreement. Lessee shall not deny access to and use of the said premises by the general public during hours when the fields are not being used for the scheduled soccer program.
2. Lessee agrees to use said premises for the establishment of a recreational area for the benefit of the public, and the primary purpose being to institute a soccer program (the schedule which will be delivered to the Director of Parks & Recreation upon execution of this contract). Lessee further agrees that it shall not use the said premises for any other purpose without first obtaining the written consent of the Parks and Recreation Director.
3. Lessee agrees to meet and fulfill at its own expense the requirements of all ordinances of the City of Laredo pertaining to health and sanitation as such may pertain to the said premises and its use by Lessee, to include regular field maintenance and trash and debris pick up; and the orders and requirements of the health, sanitation, fire and police departments as such may pertain to the said premises and its use by the lessee; and to provide for the correction, abatement and prevention of nuisance and hazards in, upon or connected with the operation of the said premises by the lessee.
4. Lessee shall have rights to share the use of the adjacent parking area with the City of Laredo Parks and Recreation Department and its agents and representatives for operational activities at Tree Farm facility. Lessee shall have the responsibility of keeping the parking area and all leased premises free and clear of trash, debris and any obstructions that may hinder normal operations in the area.
5. Lessee may, at Lessee's sole expense make such changes, alterations or improvements as may be necessary to fit existing premises; provided however, that no change alteration or improvement take place without the expressed written consent of the Director of the Parks and Recreation department and the City Manager, and with the understanding that all fixtures shall remain the property of the Lessee, who may remove the same upon termination of the lease, provided that such removal is done in a timely manner as not to damage the premises; and provided further that, should Lessee fail to remove said fixture or improvements as provided, Lessor at its option may require Lessee to remove same. In the event of receipt of notice from Lessor, Lessor may remove, retain or dispose of the same as it sees fit

any fixture or improvement not removed by Lessee as provided. Lessee also agrees that should Lessor remove such fixtures, Lessee will pay Lessor upon demand the cost of such removal, plus the cost of transportation and disposition thereof.

6. Lessee shall not allow other use of the said premises that is provided herein, without the expressed written consent of the Parks and Recreation Director and the City Manager.
7. Lessee shall be responsible for maintenance of the said premises, including but limited to: maintenance of playing fields, building maintenance, and maintaining fences, bleachers, scoreboard and any other structure or equipment located at the premises during the term of this agreement.
8. Lessee shall at its sole cost prepare the field for each scheduled use as needed, and make any necessary preparations for appropriate field use. Lessee agrees that it will conduct safety checks for potential hazards every day to ensure a safe playing field.
9. Lessee shall pay for all utilities, water, and electricity used by Lessee during the scheduled activities sponsored by the lessee at the said premises. However, Lessor reserves the right to discontinue all services described herein at such time as the city determines that it is no longer economically or otherwise feasible to continue such services. Such notice shall be provided to the Lessee with a thirty (30) day advance notification of lease termination.
10. Lessee agrees to comply with all laws, ordinances, rules and regulations which may pertain or apply to the leased premises and the use thereof.

#### **IV. Access Rights of Lessee**

1. Lessee agrees that Lessor may use the said premises when needed by the City of Laredo or its franchisees or licensees, or when needed to be traversed by the City of Laredo or its franchisees or licensees, for the installation, maintenance, repair or removal of utility lines and easements, or whenever reasonably possible, locate such utility lines and easements with least disturbance to existing improvements on the said premises.
2. Lessee further agrees that Lessor may enter into other agreements for the premises with other entities or associations for soccer use, but in such event the Lessor agrees that any such agreement with others shall provide for use of said premises by others that in such a way as not to conflict with the schedule provided by lessee.



## **V. Notices**

Any notices which are required herein, or which either Lessor or Lessee may desire to serve upon the other, shall be in writing and shall be deemed served when delivered personally, or when deposited in the United States mail, postage prepaid, return receipt requested, addressed to Lessor as follows:

City of Laredo  
Larry Dovalina, City Manager  
P.O.Box 579  
Laredo, Texas 78042  
and as to the Lessee, as follows:

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This lease agreement may be terminated by either Lessor or Lessee providing written notice to the other not less than ninety (60) days prior to the end of the current annual term, of its intent to terminate the lease or its intent to renegotiate the terms and conditions of the current lease.

## **VI. Indemnification**

**Lessee agrees that the Lessor shall not be responsible for injury to persons or damage to property which may arise incidental to Lessee's or its agents use of said premises. Lessee further agrees to indemnify and hold harmless the Lessor from any and all claims, loss or damage that may occur upon said premises by reason of or connected with Lessee's or its agents use of said premises.**

## **VII. Insurance**

Lessee agrees to provide public liability insurance in the combined single limit for bodily injury and property damage of \$1 million per occurrence. Lessee shall provide to the Parks and Recreation director, copies of the policies, certificates of insurance and all endorsements upon execution of this contract thereto as they apply to the limits required by the City. Lessor reserves the right to review the insurance requirements of this section during the effective period of this agreement and to modify insurance coverage and their limits when deemed necessary and prudent by the City's Risk Manager based upon changes in statutory law, court decisions or circumstances. In no way will the modifications increase the risk of the Lessor. Lessor may also consider reasonable requests for deletion, revision, or modification of particular policy conditions, limitations, or exclusions. Lessee is also to provide an additional copy of the insurance certificate to the City's Risk Management. Lessee agrees that with respect to the

above required insurance all insurance contracts and certificates of insurance will contain the following required provisions:

- Name of Lessor, (City of Laredo), and its officers, employees, agents elected representatives as additional insured as respects operation and activities of or on behalf of the named insured performed under contract with Lessor.
- Provide for an endorsement that the “other” insurance clause shall not apply to the Lessor where the Lessor is an additional insured.

#### **VIII. Duties of Lessor**

1. Lessor agrees to allow lessee use and/or operation of a concession stand for sale of non-alcoholic beverages at the said premises. Lessee agrees to meet and fulfill, at its own expense, the requirements of all ordinances of the City of Laredo pertaining to health and sanitation as such may pertain to the said premises and its use by lessee; and the orders and requirements of the health, sanitation, fire and police departments as such may pertain to the said premises and its use by lessee; and to provide for the correction, abatement and prevention of nuisances and hazards in, upon or connected with the operation of the said premises by the lessee.

2. Lessor shall be responsible for providing maintenance assistance at said premises at timely intervals to include mowing of grounds, and the disposal of trash from trash receptacles.

#### **IX. Default**

In the event that Lessee shall be in default of any payment of rent or in the performance of any of the terms or conditions herein agreed to by Lessee, Lessor may terminate and end this lease, within a sixty (60) day notice and may enter upon said premises and remove all persons and property therefrom. In the event Lessor shall bring legal action to enforce any of the terms hereof, or to obtain possession of said premises by reason of any default by Lessee, or otherwise, Lessee agrees to pay Lessor all cost of such legal action, including reasonable attorney's fees.

#### **X. Waiver**

Waiver by Lessor of any default in performance by Lessee of any terms, covenants or conditions contained herein, shall not be deemed a continuing waiver of the same of any subsequent default herein.

Signed by the parties on this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

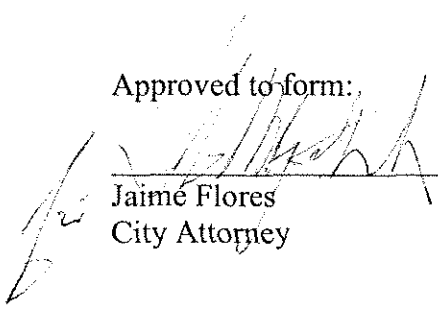
City of Laredo, a Municipal  
Corporation

\_\_\_\_\_  
Larry Dovalina  
City Manager  
City of Laredo

Attest:

\_\_\_\_\_  
Gustavo Guevara, Jr.  
City Secretary

Approved to form:

  
\_\_\_\_\_  
Jaime Flores  
City Attorney

\_\_\_\_\_  
(Name of Lessee)  
President  
Escuela de Futbol Soccer  
Americas Laredo



## COUNCIL COMMUNICATION

<b>DATE:</b>  04/19/ 2004	<b>SUBJECT: PUBLIC HEARING AND INTRODUCTORY ORDINANCE</b>  Accepting a grant awarded and amending the City of Laredo FY 2003-2004 budget by decreasing revenues and expenses in the amount of \$16,454 to reflect the actual grant amount of \$637,267 awarded by the Office of the National Drug Control Policy (ONDCP) High Intensity Drug Trafficking Area (HIDTA), at no cost to the city, to fund the Laredo Financial Task Force. Funds will be used to pay personnel salaries, travel and operational expenses from January 1, 2004 through December 31, 2004. Accepting a grant awarded and amending the City of Laredo FY 2003-2004 budget by increasing revenues and expenses in the amount of \$49,916 to reflect the actual grant amount of \$99,916 awarded by the Office of the National Drug Control Policy (ONDCP) High Intensity Drug Trafficking Area (HIDTA), at no cost to the city, to fund the STX Multi-Agency Drug Related Corruption Task Force (account #229-2327). Funds will be used to pay overtime, fringe benefits and operational expenses from January 1, 2004 through December 31, 2004.
<b>INITIATED BY: STAFF SOURCE:</b>  Cynthia Collazo, Assistant City Manager      Agustin Dovalina, III, Chief of Police	
<b>PREVIOUS COUNCIL ACTION:</b>  Council approved resolution #2003-R-045 on April 21,2003	
<b>BACKGROUND:</b>  The City of Laredo has been the Grantee agency for the past thirteen years for the South Texas High Intensity Drug Trafficking Area (ST HIDTA) Laredo Police Multi-Agency Financial Disruption Task Force. The Task Force works together with other Local, State and Federal Agencies, with its main focus being the identification and disruption/dismantling of Major Drug Trafficking Organizations.  Funds under the original grant pay for personnel salaries, overtime, fringe benefits, travel and operating expenses. The grant is 100% federally funded by the Office of the National Drug Control Policy (ONDCP) High Intensity Drug Trafficking Area (HIDTA).	

**FINANCIAL SECTION:**

Fund 223	Original Budget	Proposed Amended Budget	Proposed Budget Amendment
REVENUES:			
Financial TF 2004	\$ 653,721	\$ 637,267	(\$16,454)
TOTAL REVENUES	\$ 653,721	\$637,267	(\$16,454)
EXPENDITURES:			
Financial TF 2004	\$ 653,721	\$ 637,267	(\$16,454)
TOTAL EXPENDITURES	\$ 653,721	\$ 637,267	(\$16,454)

Fund 229	Original Budget	Proposed Amended Budget	Proposed Budget Amendment
REVENUES:			
Public Corruption TF 2004	\$ 50,000	\$ 99,916	\$ 49,916
TOTAL REVENUES	\$ 50,000	\$ 99,916	\$ 49,916
EXPENDITURES:			
Public Corruption TF 2004	\$ 50,000	\$ 99,916	\$ 49,916
TOTAL EXPENDITURES	\$ 50,000	\$ 99,916	\$ 49,916

**COMMITTEE RECOMMENDATION:**

N/A

**STAFF RECOMMENDATION:**Approval of this Public Hearing and  
Introductory Ordinance.

## ORDINANCE

ACCEPTING A GRANT AWARDED AND AMENDING THE CITY OF LAREDO FY 2003-2004 BUDGET BY DECREASING REVENUES AND EXPENSES IN THE AMOUNT OF \$16,454 TO REFLECT THE ACTUAL GRANT AMOUNT OF \$637,267 AWARDED BY THE OFFICE OF THE NATIONAL DRUG CONTROL POLICY (ONDCP) HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA), AT NO COST TO THE CITY, TO FUND THE LAREDO FINANCIAL TASK FORCE. FUNDS WILL BE USED TO PAY PERSONNEL SALARIES, TRAVEL AND OPERATIONAL EXPENSES FROM JANUARY 1, 2004 THROUGH DECEMBER 31, 2004.

ACCEPTING A GRANT AWARDED AND AMENDING THE CITY OF LAREDO FY 2003-2004 BUDGET BY INCREASING REVENUES AND EXPENSES IN THE AMOUNT OF \$49,916 TO REFLECT THE ACTUAL GRANT AMOUNT OF \$99,916 AWARDED BY THE OFFICE OF THE NATIONAL DRUG CONTROL POLICY (ONDCP) HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA), AT NO COST TO THE CITY, TO FUND THE STX MULTI-AGENCY DRUG RELATED CORRUPTION TASK FORCE (ACCOUNT #229-2327). FUNDS WILL BE USED TO PAY OVERTIME, FRINGE BENEFITS AND OPERATIONAL EXPENSES FROM JANUARY 1, 2004 THROUGH DECEMBER 31, 2004.

**Whereas**, the City Council previously adopted the budget for fiscal year 2003-2004; and

**Whereas**, 100% of the grant funds are federally funded by the Office of the National Drug Control Policy through the High Intensity Drug Trafficking Area; and

**Whereas**, funds will be used to pay personnel salaries for one (1) Laredo Police Sergeant, one (1) Laredo Police Investigator, one (1) Laredo Police Officer, two (2) Zapata County Investigators, one (1) Webb County Sheriff investigator, one (1) full-time Administrative Assistant II, one (.5) custodian and for travel and operating expenses for the above, plus two (2) additional Investigators (DPS); and

**Whereas**, the described transfer below are done pursuant to the requirements of Section 6.08 of the City Charter.

**Whereas**, the City of Laredo full time equivalents for 223-2338 reflects: (1) Sergeant, (1) Investigator, (1) Officer, (1) Administrative Assistant II and one (.5) custodian.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

Section 1: the Laredo Financial Disruption Task Force and STX Multi-Agency Drug Related Public Corruption Task Force grant be accepted in the amount of \$737,183.

Section 2: Amending the City of Laredo FY 2004 Financial Task Force Budget by decreasing in the amount of \$16,454 to fund the Laredo Financial Disruption Task Force and amend the Special Police Budget in the amount of \$49,916 to fund the STX Multi-Agency Drug Related Public Corruption Task Force. Funds will be used to pay for personnel salaries, travel and operational expenses beginning January 1, 2004 through December 31, 2004.

Section 3: The City of Laredo full time equivalents for 223-2338 reflects:

one (1) Sergeant, one (1) Investigator, one (1) Officer, one (1) Administrative Assistant II and one (.5) custodian.



PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JAIME FLORES  
CITY ATTORNEY



South Texas HIDTA  
8600 Callaghan Road, Ste 802  
San Antonio, Texas 78229  
(210) 692-7044/1532  
(210) 692-1891(Fax)

Mr. Larry Dovalina  
Laredo Police Department  
1110 Houston Street  
Laredo, Texas 78042

Dear Mr. Larry Dovalina,


We are pleased to inform you that an Award, Grant Number I4PSSP571 has been approved in the amount of \$737,183. This award to Laredo Police Department will support the South Texas HIDTA Laredo Initiative and the STX Multi-Agency Drug Related Public Corruption Task Force in the South Texas Region of Southwest Border HIDTA.

The original and one copy of the Award with Special Conditions and Application are enclosed. Please follow the instructions for filing the application as stated in the application instructions. If you accept this award, sign both copies of the Award and Special Conditions and **return them to this office for processing**. Keep the original copy of the Cooperative Agreement Award and Special Conditions for your records. However, ensure that the copy you return is also an original signature or funds will not be released by the National HIDTA Assistance Center.

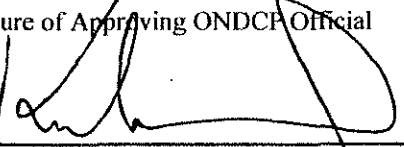
By accepting this award, you assume certain administrative and financial responsibilities. These include the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. **All financial reports and reimbursement/advance requests must be submitted to this office**. Once information has been received and entered into our database, it will be forwarded to the Miami Assistance Center. The Miami Assistance Center **will not** process any correspondence unless these documents have been signed by this office.

Should your organization not adhere to the terms and conditions of this award, it is subject to termination for cause or other administrative action as appropriate.

If you have any questions pertaining to this grant award, please contact Kimberley Cobb, (210) 692-7044.



Vernon P. Parker  
Director

<b>Executive Office of the President Office of National Drug Control Policy</b>		<b>AWARD</b> Cooperative Agreement		Page <u>1</u> of <u>6</u>	
1. Recipient Name and Address City of Laredo - Laredo Police Department 1110 Houston Street  Laredo, TX 78042		4. Award Number: I4PSSP571Z			
		5. Project Period: 1/1/2004 to 12/31/2004 Budget Period: 1/1/2004 to 12/31/2004			
1A. Recipient IRS/Vendor No.	6. Date: 3/12/2004	7. Action  <input checked="" type="checkbox"/> Initial  <input type="checkbox"/> Supplemental			
2. Subrecipient Name and Address	8. Supplement Number				
2A. Subrecipient IRS/Vendor No.	9. Previous Award Amount				
3. Project Title Multiple initiative(s)	10. Amount of This Award		\$737,183		
	11. Total Award		\$737,183		
12. Special Conditions (Check, if applicable)  <input checked="" type="checkbox"/> The above Cooperative Agreement is approved subject to such conditions or limitations as are set forth on the attached <u>5</u> page(s).					
1. Statutory Authority for Grant: Public Law 108-199					
<b>AGENCY APPROVAL</b>			<b>RECIPIENT ACCEPTANCE</b>		
14. Typed Name and Title of Approving ONDCP Official  Kurt F. Schmid Office of National Drug Control Policy		15. Typed Name and Title of Authorized Recipient Official  Mr. Larry Dovalina City of Laredo - Laredo Police Department			
16. Signature of Approving ONDCP Official 		17. Signature of Authorized Recipient		Date	
<b>Agency Use Only</b>					
18. Accounting Classification Code		19. HIDTA AWARD			

Award Recipient: City of Laredo - Laredo Police Department

HIDTA: SWB South Texas

Initiative: Multiple initiative(s)

Project Contact: Chief Gilbert Navarro

Award Amount: \$737,183

Award Period: 1/1/2004 to 12/31/2004

**ONDCP Contact:**

All requests for payment and inquiries should be submitted to:

The National HIDTA Assistance Center  
8401 Northwest 53rd Terrace, Suite 208  
Miami, Florida 33166  
(305) 716-3270

**A. Conditions**

1. The award is based on the detail budget attached to the application submitted for this initiative. This is your approved budget for the initiative and any deviation must comply with the reprogramming requirements as set forth in the ONDCP Guidelines.

**B. General Provisions**

1. This award is subject to:

- a. the Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, also known as the "Common Rule",
- b. the Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements; Federal Debt Status, and Nondiscrimination Statutes And Implementing Regulations.
- c. the audit requirements of OMB Circular A-133,
- d. the cost principles contained in OMB Circular A-87, and
- e. the administrative guidelines contained in ONDCP's Financial and Administrative Guidelines.

2.      Payment Basis

Request for Advance or Reimbursement shall be made using the Division of Payment Management System ([www.dpm.psc.gov](http://www.dpm.psc.gov)). Copies of invoices, payroll registers, and canceled checks must accompany the payment confirmation number to provide documentation for the reimbursement request. Request for advances will be accompanied by detail specifying the obligation. Documentation of how the advance was spent must be submitted before another advance or reimbursement can be requested. Funding for this award is authorized to be paid on a monthly basis.

Payments will be made via Electronic Fund Transfer to the award recipient's bank account. The bank must be FDIC insured. It is desirable that the bank be a member of the Federal Reserve System. The account must be interest bearing. (All payments greater than \$25,000 must be made by EFT. Recipients must request a waiver from this provision for payments less than \$25,000).

**Except for interest earned on advances of funds exempt under the Intergovernmental Cooperation Act (31 U.S.C. 6501 et seq.) and the Indian Self-Determination Act (23 U.S.C. 450), grantees and subgrantees shall promptly, but at least quarterly, remit interest earned on advances to ONDCP. The grantee or subgrantee may keep interest amounts up to \$100 per year for administrative purposes. (21 CFR Section 1403.21i)**

3.      Reporting Requirements

Financial Status Reports (OMB Standard Form 269) will be required quarterly during the award period and at the end of the award. Performance reports will be required as specified in the Program Guidance.

Note that the final financial reports should be cumulative for the entire award period.  
Performance Reports: Due as specified in the Program Guidance.

**Financial Status Reports (OMB Standard Form 269) should be submitted to Office of National Drug Control Policy. Attn: Phuong DeSear, Room 538. Phone: 202-395-6739, Fax: 202-395-5176.**

**Special Conditions**  
**HIDTA Cooperative Agreements**

The following special conditions are incorporated into each award document.

1. In order to provide for compatibility, integration, coordination, and cost effectiveness in the use, procurement, and operation of ADP systems, equipment, and software, recipients are encouraged and authorized to enter into joint purchase or service agreements on a reimbursable or nonreimbursable bases with other HIDTA award recipients. Award recipients are authorized and encouraged to enter into joint purchases or service agreements with other HIDTA award recipients.
2. No federal funds shall be used to supplant state or local funds that would otherwise be made available for project purposes.
3. The operating principles found in 28 CFR Part 23, which pertain to information collection and management or criminal intelligence systems, shall apply to any such systems supported by this award.
4. Prior to expenditure of confidential funds, the award recipient or subrecipient shall sign a certification indicating that he or she has read, understands, and agrees to abide by all of the conditions pertaining to confidential fund expenditures as set forth in Attachment B to the ONDCP Financial and Administrative Guide for Cooperative Agreements. This certification should be submitted to the Assistance Center.
5. The award recipient agrees to account for and use program income, including but not limited to asset forfeitures, in accordance with the "Common Rule" and the ONDCP Financial and Administrative Guide for Cooperative Agreements. Moreover, the use of program income must be consistent with the National Drug Control Strategy.
6. Where furniture has been approved in the budget, the recipient will make every effort to utilized existing State and local surplus property prior to the purchase of any furniture, including computer furniture or items of similar nature.
7. The award recipient may not use designated aircraft assigned to HIDTA-approved task operations and initiatives for the transport of VIP Executive(s) or similar circumstances not relating to the goals and objectives of state and local law enforcement programs.
8. The budget submitted with the proposal is approved.

Reprogramming between budget categories within the same agency and initiative requires the approval of the respective HIDTA Director and must be in accordance with procedures established by the Executive Committee.

Reprogramming of funds between agencies or initiatives requires the written approval of the ONDCP HIDTA Office, regardless of the dollar value of the reprogramming.

In all cases the recipient is responsible for maintaining detailed records of the reprogramming activities and forwarding notification to your HIDTA Director regarding reprogramming activities as they occur.

9. The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, "Audits of State and Local Governments." The management letter must be submitted with the audit report. Audits must be submitted no later than thirteen (13) months after the close of the recipient organizations audited fiscal year. The submission of the audit report shall be as follows:

An original and one copy shall be sent to the cognizant Federal Agency. Also, a copy of the audit report shall be sent to **Office of National Drug Control Policy, 750 17<sup>th</sup> Street, NW, Washington DC 20503. Attn: Phuong DeSear, Room 538. Phone: 202-395-6739, Fax: 202-395-5176.**

10. The recipient agrees to submit operation reports as defined in the Current Year Program Guidance.

11. Equipment acquired under the grant program must be used by the recipient in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by Federal funds. When no longer needed for the original program, the equipment may be used in other activities supported by the Federal agency. The recipient may dispose of the original equipment when no longer needed or supported by the grantor agency.

Inventory lists must be supplied to the HIDTA Director to facilitate the sharing of equipment within and between the HDTAs. Items to be inventoried include Communications, Computer & Related Equipment, Surveillance Equipment, Photo, Vehicles, Video, and Weapons.

12. The recipient will be permitted to designate funds that would be matched or shared; however, these matched or shared funds will not constitute an obligation on behalf of the recipient.

13. Budget item submissions for equipment and other contract items are accepted as best estimate only and are not deemed approved at that price. Recipients are required to assure such items are not currently available, are not duplicative or excessive, and should make market surveys and obtain the best prices available.

14. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 CFR section 42.302), that is approved by the Office of Civil Rights, is a violation of its Certified Assurances and may result in the suspension of the drawdown of funds.

15. The recipient agrees to complete and keep on file, as appropriate, Immigration and Naturalization Service Employment Eligibility Verification Form (I-9). This form is to be used by recipients of federal funds to verify that persons are eligible to work in the United States.

**RECIPIENT ACCEPTANCE OF SPECIAL CONDITIONS**

\_\_\_\_\_  
Typed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Date



# Initiative Cash Summary for Fiscal Year 2004(Final)

## SWB South Texas

### BICE

	Cash	Type	Grant No
South Texas HIDTA Del Rio Task Force	\$32,550	9.8% Investigation	fed
Eagle Pass Multi-Agency SWB HIDTA Investigative Task Force	\$39,800	11.9% Investigation	fed
South Texas HIDTA Laredo Initiative	\$28,420	8.5% Investigation	fed
South Texas HIDTA McAllen Initiative	\$71,728	21.5% Investigation	fed
South Texas HIDTA San Antonio Initiative	\$47,080	14.1% Investigation	fed
Starr County HIDTA Task Force	\$11,600	3.5% Investigation	fed
Whaite San Task Force (Unity)	\$79,936	24.0% Investigation	fed
South Texas HIDTA Laredo Intelligence Center(LIC)	\$22,490	6.7% Intelligence	fed

Agency Total: \$333,604 4.0%

## Cameron County District Attorney

	Cash	Type	Grant No
South Texas HIDTA Intelligence Center	\$87,758	7.6% Intelligence	I4PSSP600
STX Director's Administrative Support Element	\$461,595	39.8% Administration	I4PSSP600
Unified Narcotics Intelligence Task Force	\$359,930	31.1% Intelligence	I4PSSP600
Brownsville HIDTA Investigative Task Force	\$137,820	11.9% Investigation	I4PSSP600
White Sands Task Force (Unity)	\$66,675	5.8% Investigation	I4PSSP600
McAllen (Multi-Agency) Intelligence Center	\$45,000	3.9% Intelligence	I4PSSP600

Agency Total: \$1,158,778 13.7%

## City of Laredo

	Cash	Type	Grant No
South Texas HIDTA Laredo Initiative	\$637,267	86.4% Investigation	I4PSSP571
STX Mutl-Agency Drug Related Public Corruption Task Force	\$99,916	13.6% Investigation	I4PSSP571

Agency Total: \$737,183 8.7%

## City of San Antonio

	Cash	Type	Grant No
South Texas HIDTA San Antonio Initiative	\$1,316,755	64.8% Investigation	I4PSSP700
South Texas HIDTA Intelligence Center	\$0	0.0% Intelligence	I4PSSP700
South Texas HIDTA Intelligence Center	\$657,313	32.3% Intelligence	I4PSSP700
STX Director's Administrative Support Element	\$0	0.0% Administration	I4PSSP700
STX Director's Administrative Support Element	\$59,500	2.9% Administration	I4PSSP700

Agency Total: \$2,033,568 24.1%

# Budget Detail Report

Fiscal Year: 2004

HIDTA Location: SWB South Texas

Grant: I4PSSP571

Task Force: South Texas HIDTA Laredo Initiative

Recipient Agency: City of Laredo

Resource Agency: City of Laredo

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Personnel: Name	Annual	Time	Amount
INVESTIGATOR LPD	\$54,111.00	1	\$54,111
OFFICER LPD	\$50,480.00	1	\$50,480
ADMIN ASST	\$33,720.00	1	\$33,720
CUSTODIAN LPD (50%)	\$8,736.00	1	\$8,736
SERGEANT LPD-METH	\$57,739.00	1	\$57,739
INVESTIGATOR WEBB CO SHERIFF	\$36,529.00	1	\$36,529
INVESTIGATOR ZAPATA COUNTY DA	\$37,975.00	1	\$37,975
INVESTIGATOR ZAPATA COUNTY DA	\$37,975.00	1	\$37,975
Total Personnel:			\$317,265

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Benefits: Name	Annual	Time	Amount
INVESTIGATOR LPD	\$19,332.00	1	\$19,332
OFFICER LPD	\$18,244.00	1	\$18,244
ADMIN ASST	\$10,116.00	1	\$10,116
CUSTODIAN LPD (50%)	\$2,621.00	1	\$2,621
SERGEANT LPD-METH	\$20,421.00	1	\$20,421
INVESTIGATOR WEBB CO SHERIFF	\$14,058.00	1	\$14,058
INVESTIGATOR ZAPATA COUNTY DA	\$14,942.00	1	\$14,942
INVESTIGATOR ZAPATA COUNTY DA	\$14,942.00	1	\$14,942
Total Benefits:			\$114,676

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Overtime: Position	Hours	Rate	Amount
INVESTIGATOR LPD	1.00	\$9,299.00	\$9,299
OFFICER LPD	1.00	\$9,299.00	\$9,299
SERGEANT LPD	1.00	\$9,299.00	\$9,299
INVESTIGATOR WEBB CO SHERIFF	1.00	\$9,299.00	\$9,299
INVESTIGATOR ZAPATA COUNTY DA	1.00	\$9,299.00	\$9,299
INVESTIGATOR ZAPATA COUNTY DA	1.00	\$9,299.00	\$9,299
Total Overtime:			\$55,794

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Travel: Purpose	Amount
INVESTIGATIVE (7)	\$1,552
TRAINING (8)	\$3,000
Total Travel:	\$4,552

Facilities: Name	Months	Rate	Amount
RENT (LPD & USCS)	1	\$58,344.00	\$58,344
RENT (ZAPATA OFFICE)	1	\$7,200.00	\$7,200
Total Facilities:			\$65,544

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Services: Name	Months	Rate	Amount
CELL PHONES (LNET 8)	1	\$8,640.00	\$8,640
PAGER (8)	1	\$1,440.00	\$1,440
VEHICLE LEASE (5)	1	\$42,000.00	\$42,000
VEHICLE LEASE INS (5)	1	\$4,200.00	\$4,200
VEHICLE MAINTENANCE (7)	1	\$2,304.00	\$2,304
POST OFFICE BOX	1	\$156.00	\$156
UTILITIES	1	\$600.00	\$600

# Budget Detail Report

Fiscal Year: 2004

HIDTA Location: SWB South Texas

Grant: I4PSSP571

Task Force: South Texas HIDTA Laredo Initiative

Recipient Agency: City of Laredo

Resource Agency: City of Laredo

ALARM SYSTEM	1	\$1,080.00	\$1,080
POSTAGE	1	\$300.00	\$300
TELEPHONE	1	\$5,400.00	\$5,400
Total Services:			\$66,120

Equipment: Description	Qty	Unit Price	Amount
Description			\$0
Total Equipment:			\$0

Supplies: Name	Months	Rate	Amount
OFFICE SUPPLIES	1	\$2,316.00	\$2,316
FUEL & OIL (5)	1	\$6,000.00	\$6,000
Total Supplies:			\$8,316

Other: Purpose	Amount
PE/PI/PS	\$5,000
Total Other:	\$5,000

Total: \$637,267

# Budget Detail Report

Fiscal Year: 2004

HIDTA Location: SWB South Texas

Grant: I4PSSP571

Task Force: STX Mutl-Agency Drug Related Public Corruption Task Force

Recipient Agency: City of Laredo

Resource Agency: City of Laredo

Personnel: Name	Annual	Time	Amount
Name/Position			
Total Personnel:			\$0

Benefits: Name	Annual	Time	Amount
INVESTIGATOR	\$2,788.00	1	\$2,788
INVESTIGATOR	\$2,788.00	1	\$2,788
INVESTIGATOR	\$2,788.00	1	\$2,788
INVESTIGATOR	\$2,788.00	1	\$2,788
Total Benefits:			\$11,152

Overtime: Position	Hours	Rate	Amount
INVESTIGATOR	1.00	\$9,299.00	\$9,299
INVESTIGATOR	1.00	\$9,299.00	\$9,299
INVESTIGATOR	1.00	\$9,299.00	\$9,299
INVESTIGATOR	1.00	\$9,299.00	\$9,299
Total Overtime:			\$37,196

Travel: Purpose	Amount
INVESTIGATOR (4)	\$8,000
TRAINING (4)	\$3,428
<b>Total Travel:</b>	<b>\$11,428</b>

Facilities: Name	Months	Rate	Amount
Description			
Total Facilities:			\$0

Services: Name	Months	Rate	Amount
CELL PHONES (2)	1	\$2,796.00	\$2,796
PAGERS (2)	1	\$1,548.00	\$1,548
VEHICLE LEASE (2)	1	\$32,400.00	\$32,400
VEHICLE MAINTENACE (2)	1	\$996.00	\$996
Total Services:			\$37,740

Equipment: Description	Qty	Unit Price	Amount
Description			\$0
Total Equipment:			\$0

Supplies: Name	Months	Rate	Amount
FUEL & OIL (4)	1	\$2,400.00	\$2,400
Total Supplies:			\$2,400

Total: \$99,916



## COUNCIL COMMUNICATION

<b>Date:</b>  04/19/04	<b>SUBJECT:</b> FINAL READING OF ORDINANCE NO. 2004-O-083 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing the issuance of a Conditional Use Permit for a used car lot on Lot 4, Block 236, Western Division, located at 1309 San Dario Ave.; providing for publication and effective date. <span style="float: right;">ZC-85c-2003</span>
<b>Initiated by:</b> Alberto Garcia	<b>Staff source:</b> Keith Selman, Planning Director Cynthia Collazo, Asst. City Manager
<b>Prior action:</b> On 11/20/04, the Planning and Zoning Commission concurred with Staff's position and recommended denial of this applicant's B-1 to B-3 zone change request. On 1/12/04, Council postponed the item, and suggested the applicant return to the Commission in pursuit of a Conditional Use Permit for the proposed use, a used car lot. On 02/19/04, the Commission recommended denial of the requested CUP. On 03/29/04, the Council postponed this item till the next scheduled meeting. This item was introduced by Juan Ramirez at the City Council meeting of 04/05/04.	
<b>BACKGROUND</b> <b>Council District:</b> VIII - Juan Ramirez  <b>Proposed use:</b> Commercial (a used car lot)  <b>Site:</b> The site is currently occupied by a small office and parking area (recently paved). [Existing violations include: an illegal water connection, illegal electrical connection, plumbing work done by unlicensed plumber (citation issued to plumber), no sanitary facilities – O-Boy on premises and noncompliant sign (warning issued)]. Applicant asserts all violations were committed by the current lease holder.  <b>Surrounding land uses:</b> The land south and southeast of the site is devoted to light commercial and residential type uses including the Laredo Import Company, the Back Porch Postal Center, a Texaco gas station, El Taco Rico, Castellano's used cars, an auto trim shop, the Laredo Boys Club, and a few single family residences. West of the site is I.H. 35. IBC parking, Miriam's Grocery, an auto trim shop and several single and multifamily residences lie to the east while Jamalk Used Cars, Ronald Ramos Law Office, Louis LaVaude, a billiards supply business, and several more single family residences lie to the north of the site.  <b>Comprehensive Plan:</b> The Future Land Use Map recognizes this area as Retail/Office.  <b>Transportation Plan:</b> San Dario is identified by the Long Range Thoroughfare Plan as a Freeway and a Truck Route.  <b>CUP letters sent to surrounding property owners:</b> 18                      In Favor: 1                      Opposed: 0 <b>Zone change letters sent to surrounding property owners:</b> 18                      In Favor: 1                      Opposed: 0	
<b>STAFF COMMENTS</b> Staff does not support the issuance of the Conditional Use Permit. Laredo Land Development Code Section 24.94.5 B stipulates "The site of the proposed conditional use or any improvements thereon are not in violation of any local, state, or federal law (other than zoning violation)." Numerous construction code violations exist, thus requiring Staff's nonsupport of the item. The following conditions are recommended in the event the item is approved:  1. The entire lot shall be paved except for the areas landscaped. 2. Seventy-five (75) percent of the buildings shall be composed of masonry, glass, or brick. 3. Mechanical, body repair, or auto painting shall not be allowed. <span style="float: right;">Comments continued...</span>	
<b>P&amp;Z COMMISSION RECOMMENDATION:</b> The P & Z Commission, in a 6 to 1 vote, recommended denial of the conditional use permit.	<b>STAFF RECOMMENDATION:</b> Staff <b><u>does not support</u></b> the proposed Conditional Use Permit.

## COUNCIL COMMUNICATION

### IMPACT ANALYSIS

#### Staff recommended conditions continued:

4. Heavy equipment or large trucks shall not be allowed.
5. At least ten (10) percent of the lot area shall be devoted to landscaping, all which shall be located abutting the westernmost boundary of the site. All property shall be kept in an attractive fashion with landscaping properly maintained. All trash, garbage and other waste shall be kept in sanitary containers, which at all times must be concealed from public view.
6. The applicant shall provide a seven (7) foot opaque fence where the site directly abuts any residential zone or use.
7. All lighting shall face inward and away from the surrounding properties.
8. Two (2) spaces shall be provided and reserved for customers.
9. The applicant shall provide and maintain three (3) trees and fourteen (14) shrubs located along the western-most boundary of the site.
- 10 Signage shall be limited to that which is allowed in a B-1 district.
11. The permit is issued to Alberto Garcia and is nontransferable.

**CITY OF LAREDO ORDINANCE NO. 2004-O-083**

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR A USED CAR LOT ON LOT 4, BLOCK 236, WESTERN DIVISION, LOCATED AT 1309 SAN DARIO AVE.; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a request has been received for the issuance of a Conditional Use Permit for a used car lot on Lot 4, Block 236, Western Division, located at 1309 San Dario Ave.; and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on February 19, 2004; and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **denial** of the Conditional Use Permit; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on April 5, 2004, on the request and finds the Conditional Use Permit amendment appropriate and consistent with the General Plan of the City of Laredo.

WHEREAS, all conditions imposed by the Conditional Use Permit, and all pertinent requirements the Laredo Land Development Code shall be met before the activity sanctioned by the Conditional Use Permit may commence.

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by authorizing the issuance of a Conditional Use Permit for a used car lot on Lot 4, Block 236, Western Division, located at 1309 San Dario Ave.



Section 2: The Conditional Use Permit is further restricted to the following provision herewith adopted by the City Council:

1. The entire lot shall be paved except for the areas landscaped.
2. Seventy-five (75) percent of the buildings shall be composed of masonry, glass, or brick.
3. Mechanical, body repair, or auto painting shall not be allowed.
4. Heavy equipment or large trucks shall not be allowed.
5. At least ten (10) percent of the lot area shall be devoted to landscaping, all which shall be located abutting the westernmost boundary of the site. All property shall be kept in an attractive fashion with landscaping properly maintained. All trash, garbage and other waste shall be kept in sanitary containers, which at all times must be concealed from public view.
6. The applicant shall provide a seven (7) foot opaque fence where the site directly abuts any residential zone or use.
7. All lighting shall face inward and away from the surrounding properties.
8. Two (2) spaces shall be provided and reserved for customers.
9. The applicant shall provide and maintain three (3) trees and fourteen (14) shrubs located along the western-most boundary of the site.
10. Signage shall be limited to that which is allowed in a B-1 district.
11. The permit is issued to Alberto Garcia and is nontransferable.

Section 3: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 4: This ordinance shall become effective as and from the date of publication specified in Section 3.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

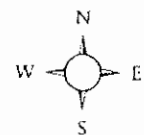
APPROVED AS TO FORM:  
JAIME FLORES  
CITY ATTORNEY

  
\_\_\_\_\_  
BY: ANTHONY C. MCGETTRICK  
ASSISTANT CITY ATTORNEY

City of Laredo  
Planning Department  
Feet

ZC -85- 2003

560



# City of Laredo Zoning Map



SAN FRANCISCO

250		219	
BOY'S		CLUES	

SAN EDUARDO

4A	3A	7A	7B
4B	3B	5	3
2	1	218	1
8	6	4	2

SCOTT

SAN DARIO

4A	3A	7A	7B
4B	3B	5	3
2	1	217	1
8	6	4	2

SCOTT

STA: URSULA

4A	3A	7A	7B
4B	3B	5	3
2	1	217	1
8	6	4	2

4A	3A	7A	7B
4B	3B	5	3
2	1	237	1
8	6	4	2

4A	3A	7A	7B
4B	3B	5	3
2	1	236	1
8	6	4	2

COKE

4A	3A	7A	7B
4B	3B	5	3
2	1	235	1
8	6	4	2

4A	3A	7A	7B
4B	3B	5	3
2	1	218	1
8	6	4	2

4A	3A	7A	7B
4B	3B	5	3
2	1	217	1
8	6	4	2

4A	3A	7A	7B
4B	3B	5	3
2	1	217	1
8	6	4	2

4A	3A	7A	7B
4B	3B	5	3
2	1	217	1
8	6	4	2



ZC-85-03

### COUNCIL COMMUNICATION

DATE:  APRIL 19, 2004	SUBJECT: FINAL READING OF ORDINANCE 2004-O-084  Authorizing the City Manager to accept a grant in the amount of \$10,000 from the Texas Department of Transportation for the enforcement of the seat belt law and authorizing the City Manager to decrease the City of Laredo's FY 03-04 Annual Budget in the amount of \$22,500. This grant is for overtime salaries and is funded 100% by the Texas Department of Transportation.
INITIATED BY: Larry Dovalina City Manager	STAFF SOURCE: Agustin Dovalina, III. Chief of Police
PREVIOUS COUNCIL ACTION: On April 5, 2004, City Council instructed staff to proceed with Final Reading.	
ACTION PROPOSED: That this Ordinance be passed and approved.	
BACKGROUND:  The Texas Department of Transportation has made a grant entitled <i>Click It or Ticket</i> available to the Laredo Police Department. The grant will pay for overtime salaries for police officers for the enforcement of the seat belt law during May 24, 2004 – June 6, 2004. Public information materials will also be available under this grant.	
FINANCIAL:	
<b>Revenues:</b>	<b>Original Budget      Amended Budget      Budget Amendment</b>
TxDOT/Memorial Day	32,500      \$10,000      (\$22,500)
<b>Expenditures:</b>	
Overtime	32,500      \$10,000      (\$22,500)
RECOMMENDATION:	STAFF:  Recommends that Council approve this Ordinance.

## ORDINANCE 2004-O-084

**Authorizing the City Manager to accept a grant in the amount of \$10,000 from the Texas Department of Transportation for the enforcement of the seat belt law and authorizing the City Manager to decrease the City of Laredo's FY 03-04 Annual Budget in the amount of \$22,500. This grant is for overtime salaries and is funded 100% by the Texas Department of Transportation.**

**Whereas**, there is available to the City of Laredo a grant entitled *Click It or Ticket* from the Texas Department of Transportation for a program which would pay for overtime salaries for off duty police officers for the enforcement of the seat belt law during May 24, 2004 – June 6, 2004; and

**Whereas**, the Police Chief Recommends that the Council authorize acceptance of a grant for such a program in the amount of \$10,000 for fiscal year 2003/2004; and

**Whereas**, the City Council finds that such acceptance should be made and will be beneficial to the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

**Section 1:** It authorizes the City Manager to accept a grant from the Texas Department of Transportation in the amount of \$10,000 for the enforcement of the seat belt law during May 24, 2004 through June 6, 2004.

**Section 2:** It authorizes the City Manager to execute all necessary documents to achieve said grant and to effectuate its terms.

**Section 3: Financial** - The proposed budget amendment is as follows:

Revenues: Budget Amendment	Original Budget	Proposed Budget	Amended Budget
TxDot/Memorial Day	32,500	\$10,000	(\$22,500)
Expenditures: Overtime	32,500	\$10,000	(\$22,500)

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
ELIZABETH G. FLORES  
CITY MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JAIME FLORES  
CITY ATTORNEY



**COUNCIL COMMUNICATION**

<b>DATE:</b>  04 / 19 / 2004	<b>SUBJECT: FINAL READING #2004-O-085</b>  Authorizing the City Manager to amend the 2003-2004 annual budget in the amount of \$5,208 for the Laredo Multi-Agency Narcotics Task Force to be used for vehicle maintenance and wrecker fees. The use of program income was previously approved by the Office of the Governor Criminal Justice Division through a grant adjustment dated March 19, 2004.																																								
<b>INITIATED BY:</b> Cynthia Collazo Assistant City Manager	<b>STAFF SOURCE:</b> Agustin Dovalina, III Chief of Police																																								
<b>PREVIOUS COUNCIL ACTION:</b> Public Hearing and Introductory Ordinance was approved by City Council on April 5, 2004.																																									
<b>ACTION PROPOSED:</b> That City Council passes this ordinance.																																									
<b>BACKGROUND:</b>  The City of Laredo has been the grantee agency for the past 13 years of the Laredo Multi-Agency Narcotics Task Force. The Task Force works together with all law enforcement agencies to enforce Federal and State narcotics laws in the City of Laredo, and the counties of Webb and Zapata. This grant pays for salaries, benefits, direct operating expenses and equipment only.																																									
<b>FINANCIAL:</b> <table><thead><tr><th></th><th>Amended Budget</th><th>Proposed Amended Budget</th><th>Proposed Budget Amendment</th></tr></thead><tbody><tr><td colspan="4"><b>REVENUES:</b></td></tr><tr><td>Fund Balance</td><td>\$ 79,294</td><td>\$ 84,502</td><td>\$ 5,208</td></tr><tr><td>Narcotics TF 03/04</td><td>\$ 1,142,115</td><td>\$ 1,142,115</td><td>- 0 -</td></tr><tr><td>Transfer-In from G/F</td><td>\$ 241,249</td><td>\$ 241,249</td><td>- 0 -</td></tr><tr><td>Webb/Zapata Match</td><td>\$ 113,529</td><td>\$ 113,529</td><td>- 0 -</td></tr><tr><td><b>TOTAL REVENUES</b></td><td><b>\$ 1,576,187</b></td><td><b>\$ 1,581,395</b></td><td><b>\$ 5,208</b></td></tr><tr><td colspan="4"><b>EXPENDITURES:</b></td></tr><tr><td>Narcotics TF 03/04</td><td>\$ 1,576,187</td><td>\$1,581,395</td><td>\$ 5,208</td></tr><tr><td><b>TOTAL EXPENDITURES</b></td><td><b>\$ 1,576,187</b></td><td><b>\$1,581,395</b></td><td><b>\$ 5,208</b></td></tr></tbody></table>			Amended Budget	Proposed Amended Budget	Proposed Budget Amendment	<b>REVENUES:</b>				Fund Balance	\$ 79,294	\$ 84,502	\$ 5,208	Narcotics TF 03/04	\$ 1,142,115	\$ 1,142,115	- 0 -	Transfer-In from G/F	\$ 241,249	\$ 241,249	- 0 -	Webb/Zapata Match	\$ 113,529	\$ 113,529	- 0 -	<b>TOTAL REVENUES</b>	<b>\$ 1,576,187</b>	<b>\$ 1,581,395</b>	<b>\$ 5,208</b>	<b>EXPENDITURES:</b>				Narcotics TF 03/04	\$ 1,576,187	\$1,581,395	\$ 5,208	<b>TOTAL EXPENDITURES</b>	<b>\$ 1,576,187</b>	<b>\$1,581,395</b>	<b>\$ 5,208</b>
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<b>RECOMMENDATION:</b>	<b>STAFF:</b> Staff recommends that this ordinance be passed.																																								

**FINAL READING #2004-O-085**

**AUTHORIZING THE CITY MANAGER TO AMEND THE 2003-2004 ANNUAL BUDGET IN THE AMOUNT OF \$5,208 FOR THE LAREDO MULTI-AGENCY NARCOTICS TASK FORCE TO BE USED FOR VEHICLE MAINTENANCE AND WRECKER FEES. THE USE OF PROGRAM INCOME WAS PREVIOUSLY APPROVED BY THE OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION THROUGH A GRANT ADJUSTMENT DATED MARCH 19, 2004.**

**Whereas,** the City Council previously adopted the budget for fiscal year 2003 – 2004;  
and

**Whereas,** grant funds are awarded through the Office of the Governor Criminal Justice Division; and

**Whereas,** the grant funds are utilized by the Laredo Narcotics Task Force to interdict illegal drugs in Webb and Zapata Counties; and

**Whereas,** the Laredo Narcotics Task Force interdiction program seized illegal drug proceeds that is judicially forfeited; and

**Whereas,** the Chief of Police recommends the approval of the budget amendment and program income will be used to pay the additional overtime salaries and fringe benefits; and

**Whereas,** in the event of loss or misuse of CJD funds, the governing body assures that the funds will be returned to CJD in full.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

Section 1: Authorizing the City Manager to amend the City of Laredo's 2003-2004 annual budget in the amount of \$5,208 for the Laredo Multi-Agency Narcotics Task Force.

Section 2: The City of Laredo's 2003-2004 annual budget is hereby amended in the amount of \$5,208 for the Laredo Multi-Agency Narcotics Task Force.

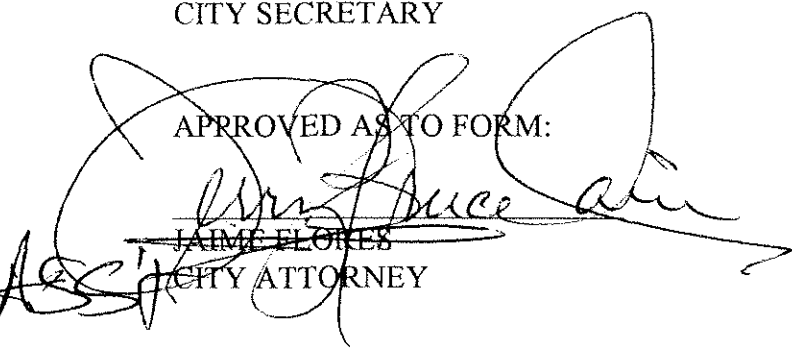
PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTEST:

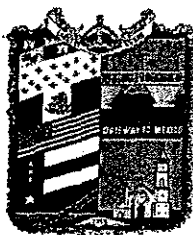
\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JAIME FLORES

CITY ATTORNEY

# LAREDO MULTI-AGENCY NARCOTICS TASK FORCE



P.O. Box # 3690  
Laredo, Texas 78041  
(956) 791-6202  
Fax: (956) 791-8053  
Agustin Dovalina, III  
Chief of Police/Project Director  
Amiando Rodriguez  
Commander/Project Manager



February 24, 2004

Aimee Snoddy, Director  
Justice Programs  
Criminal Justice Division  
1100 San Jacinto 2<sup>nd</sup> Floor  
Austin, Texas 78701

**Re: Grant Adjustment #2 for Grant # DB-03-A10-12039-05**

Dear Ms. Snoddy,

The Laredo Multi-Agency Narcotics Task Force is hereby requesting authorization for a grant adjustment to Grant #DB-03-A10-12039-05 for the following expense:

*(1) Approval is requested to transfer between the following line-items:*

- (A) \$9,363 from Line Item "Machinery & Equipment", Schedule D, "Equipment" to Line Item "Computer Hardware", Schedule D, "Equipment".*
- (B) \$6,665 from Line Item "Salaries", Schedule A, "Personnel" to Line Item "Computer Hardware", Schedule D, "Equipment".*
- (C) \$4,000 from "Program Income", to Line Item "Vehicle Maintenance", Schedule E, "Direct Operating Expenses".*
- (D) \$1,208 from "Program Income" to Line Item "Wrecker Fees", Schedule E, "Direct Operating Expenses".*

*(2) The purchase of the following equipment under Schedule D – "Equipment":*

*Eleven (11) Dell Computers (Approximated Cost: \$17,600).*

If you have any questions, please contact Yolanda Rodriguez at (956) 794-1730 ext. 1582.

Respectfully,

Agustin Dovalina, III  
Project Director  
Laredo Narcotics Task Force

**OFFICE OF THE GOVERNOR  
CRIMINAL JUSTICE DIVISION  
GRANT ADJUSTMENT NOTICE**

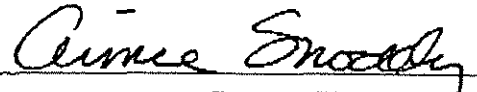
**Grant Number:** 12039-05      **Adjustment Number:** 2      **Date:** 03/19/2004  
**Grantee Name:** Laredo, City of  
**Project Title:** Laredo Multi-Agency Narcotics Task Force  
**Region:** 1900  
**Grant Period:** 07/01/2003 to 05/31/2004  
**Funding Source:** DB-Byrne Formula Grant Program

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***Any approved budget changes are reflected on the attached Approved Adjusted Budget Summary.***

The adjustment outlined in the correspondence dated February 24, 2004, and received by the Criminal Justice Division on March 5, 2004, from Agustin Dovalina has been approved. The CJD Executive Director granted an exemption to move more than 25% of a budgeted salary position. This adjustment will count as the second of four allowable adjustments allowed during the grant period.

By:

  
\_\_\_\_\_  
Program Director

Post Office Box 12428, Austin, Texas 78711 (512) 463-1919

## APPROVED ADJUSTED BUDGET SUMMARY

	CJD	Cash Match	In Kind	TOTAL
A. Personnel:	\$1,057,850	\$268,901	\$0	\$1,326,751
B. Contractual:	\$0	\$4,000	\$0	\$4,000
C. Travel:	\$10,000	\$7,000	\$0	\$17,000
D. Equipment:	\$38,665	\$0	\$0	\$38,665
E. Construction	\$0	\$0	\$0	\$0
F. Supplies:	\$35,600	\$159,379	\$0	\$194,979
G. Indirect:	\$0	\$0	\$0	\$0
<b>Total:</b>	<b>\$1,142,115</b>	<b>\$439,280</b>	<b>\$0</b>	<b>\$1,581,395</b>

### Budget Detail:

- A.** LPD Sergeant/Task Force Commander (100%) \$72,111  
 LPD Sergeant (100%) \$72,111  
 LPD Investigator (100%) \$66,813  
 LPD Investigator (100%) \$66,813  
 LPD Investigator (100%) \$66,813  
 LPD Investigator (100%) \$66,813  
 LPD Officer (100%) \$61,613  
 LPD Officer (100%) \$61,613  
 LPD Officer (100%) \$948  
 LPD Officer/Intel Analyst COUNTERTERRORISM (100%) \$52,994  
 LPD Administrative Assistant (100%) \$44,712  
 LPD Administrative Secretary (100%) \$36,803  
 LPD Custodian (50%) \$19,018  
 Webb County Sheriff (100%) \$56,337  
 Webb County Sheriff (100%) \$56,337  
 Webb County Constable (100%) \$48,597  
 Webb County Constable/Intel Investigator COUNTERTERRORISM(100%) \$46,493  
 Webb County District Attorney (100%) \$71,562  
 Webb County District Attorney (100%) \$47,022  
 Webb County District Attorney (100%) \$47,022  
 Zapata County Attorney Investigator (100%) \$46,228  
 Zapata County Attorney Investigator (100%) \$46,228  
 Zapata County Attorney Investigator (100%) \$46,228  
 Zapata County Attorney Investigator (100%) \$46,228  
 Overtime, \$79,294
- B.** Drug Testing Fees \$2,000  
 Audit Fees \$2,000
- C.** CJD Conference; CJD Financial Management \$5,000  
 DPS Training; Cleris Training \$2,000  
 Intel Travel and Training COUNTERTERRORISM \$10,000
- D.** Network Telephone Equipment, telephones, internal wiring and fiber optics \$15,637

Post Office Box 12428, Austin, Texas 78711 (512) 463-1919

Computers (15) \$23,028

**F.** Alarm Fees \$500  
Building Lease \$45,000  
Vehicle Rental/Intelligence (Investigator) COUNTERTERRORISM \$7,200  
Communications \$25,000  
Communications/Intelligence COUNTERTERRORISM \$3,600  
Confidential Funds \$49,935  
Copier Lease \$6,000  
Fuel \$40,000  
Janitorial Supplies \$640  
Janitorial Services \$1,700  
Office Supplies \$1,500  
Photo and Audio Supplies \$500  
P.O. Box Rental/Postage \$500  
Radio Repair \$800  
Utilities \$3,000  
Vehicle Maintenance \$7,896  
Wrecker Fees \$1,208

Post Office Box 12428, Austin, Texas 78711 (512) 463-1919

## COUNCIL COMMUNICATION

<b>DATE:</b> 4-5-04	<b>SUBJECT: FINAL READING OF ORDINANCE #2004-O-086</b> <b>AUTHORIZING THE CITY MANAGER TO AMEND THE TRANSIT CAPITAL GRANTS BUDGET BY APPROPRIATING \$322,592.00 AS A LOCAL MATCH, FOR THE TEXAS DEPARTMENT OF TRANSPORTATION VEHICLE CAPITAL REPLACEMENT (VCR) GRANT IN THE AMOUNT OF \$610,300.00 FOR THE PURCHASE OF THREE 35 FT CNG BUSES TO TOTAL \$932,892.00; AND REAFFIRMING THE CITY OF LAREDO INTENT TO PARTICIPATE IN THE STATE VCR PROGRAM.</b>																																				
<b>INITIATED BY:</b> Larry Dovalina, City Manager	<b>STAFF SOURCE:</b> Thomas N. Lucek, Transit General Manager																																				
<b>PREVIOUS COUNCIL ACTION:</b> <p>On October 21, 2002 the City Council authorized the City Manager to award a contract with National Bus Sales and Leasing for the purchase of four (4) Compressed Natural Gas 35 ft. Coaches with the option to purchase five (5) additional transit coaches, for \$310,964.00 each.</p> <p>On August 4, 2003 the City Council authorized the City Manager to exercise an option to purchase five (5) buses (35 ft. CNG) in contract with National Bus Sales and Leasing.</p> <p>City Council instructed to proceed with Final Reading.</p>																																					
<b>BACKGROUND:</b> <p>After the August 4, 2003 action only two (2) buses were purchased utilizing a TxDot VCR Grant X301. The three remaining coaches did not meet FTA Bidding requirements (FTA Grant X438 and X499) and were not ordered.</p> <p>However, with the anticipated VCR grant agreement, we are requesting your approval to authorize the City Manager to appropriate up to \$322,592 (Transit Sales Tax) as the Local match. The TxDot VCR Grant amount is \$610,300, totaling \$932,892. This will allow us to purchase the remaining three (3) buses in contract with National Bus Sales and Leasing at the original bid amount of \$310,964.00 each.</p> <p>Once all appropriate funding is finalized we can anticipate delivery of the three (3) remaining transit coaches within 90 to 120 days.</p>																																					
<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;">FINANCIAL IMPACT:</th> <th style="text-align: center; border-bottom: 1px solid black;">Budget</th> <th style="text-align: center; border-bottom: 1px solid black;">Budget Amendment</th> <th style="text-align: center; border-bottom: 1px solid black;">Proposed Budget</th> </tr> </thead> <tbody> <tr> <td>Transit System –Capital Grants</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Revenues:</td> <td></td> <td></td> <td></td> </tr> <tr> <td style="padding-left: 20px;">Transfer In/Sales Tax</td> <td style="text-align: center;">0</td> <td style="text-align: center;">322,592</td> <td style="text-align: center;">322,592</td> </tr> <tr> <td>Expenditures:</td> <td></td> <td></td> <td></td> </tr> <tr> <td style="padding-left: 20px;">Automotive</td> <td style="text-align: center;">0</td> <td style="text-align: center;">322,592</td> <td style="text-align: center;">322,592</td> </tr> <tr> <td>Transit System-Sales Tax</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Reserve Appropriation</td> <td style="text-align: center;">1,801,520</td> <td style="text-align: center;">(322,592)</td> <td style="text-align: center;">1,478,928</td> </tr> <tr> <td>Transfer Out-Capital Grants</td> <td style="text-align: center;">0</td> <td style="text-align: center;">322,592</td> <td style="text-align: center;">322,592</td> </tr> </tbody> </table>		FINANCIAL IMPACT:	Budget	Budget Amendment	Proposed Budget	Transit System –Capital Grants				Revenues:				Transfer In/Sales Tax	0	322,592	322,592	Expenditures:				Automotive	0	322,592	322,592	Transit System-Sales Tax				Reserve Appropriation	1,801,520	(322,592)	1,478,928	Transfer Out-Capital Grants	0	322,592	322,592
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<b>COMMITTEE RECOMMENDATION:</b>	<b>STAFF RECOMMENDATION:</b> Staff recommends approval of this ordinance.																																				



ORDINANCE NO. 2004-O-086

AUTHORIZING THE CITY MANAGER TO AMEND THE TRANSIT CAPITAL GRANTS BUDGET BY APPROPRIATING \$322,592.00 AS A LOCAL MATCH, FOR THE TEXAS DEPARTMENT OF TRANSPORTATION VEHICLE CAPITAL REPLACEMENT (VCR) GRANT IN THE AMOUNT OF \$610,300.00 FOR THE PURCHASE OF THREE 35FT. CNG BUSES TO TOTAL \$932,892.00; AND REAFFIRMING THE CITY OF LAREDO INTENT TO PARTICIPATE IN THE STATE VCR PROGRAM.

WHEREAS, the City Council previously approved the Laredo Transit System Budget on September 16, 2003; and

WHEREAS, the Federal Transit Administration through the Texas Department of Transportation is prepared to award a grant to the City of Laredo, in the maximum amount of \$610,300.00; and

WHEREAS, the City Council finds it to be in the best interests of the City of Laredo, Texas, to accept the said grant in the amount of \$610,300.00 and the funds be allocated to the transit accounts.

NOW THEREFORE, BE IT ORDAINED BY CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1. The City Manager is authorized to execute all necessary documents relating to said Grant; and

Section 2. The amount appropriated will be used as a match to purchase 3 buses; and

Section 3. The grant funds shall be deposited into the City of Laredo Transit Fund

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR  
OF THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
Elizabeth G. Flores  
Mayor

Attest:

\_\_\_\_\_  
Gustavo Guevara, Jr.  
City Secretary

Approved as to form:

By \_\_\_\_\_  
Jaime L. Flores  
City Attorney



# Texas Department of Transportation

DEWITT C. GREER STATE HIGHWAY BLDG. • 125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • (512) 463-8585

March 15, 2004

Dear Public Transportation Operator:

Your assistance is needed to complete the annual selection of vehicle capital replacement (VCR) projects. To complete this process, we need participating transit agencies to compose individual project descriptions that will become a part of the anticipated VCR grant agreements.

The award amount indicated on the attached project description form is the product of a formula based on an agency fleet's relative depreciation and replacement cost. Agencies are encouraged to use less than the amount offered if possible, but the award amount can not be increased. If your award amount is low, we may be able to apply returned funds or place your agency on a contingency project list. If your form does not contain an amount, we have determined that your agency does not have an immediate replacement need or that your agency has received a congressional earmark award for bus replacement. A list of congressional earmark awards is located at:

<http://www.taxpayer.net/budget/fy04omnibus/omnibus/TCSfy04omnibus-full.pdf>

Regardless of the amount indicated on the form, we ask that every agency participate in this process, as complete participation will also support our efforts to develop future VCR projects. The attached form should facilitate the composition of your own project description based on the award. Agencies must provide at least 20% of the project funding as non-federal match, and toll credits are not available for this program. If your agency does not want to participate, please indicate this on the form.

Agencies that have a blank in the formula award amount should compose a project description for a single-vehicle replacement project, providing cost estimates for both the federal amount and the match. If you believe your agency is being unduly excluded from consideration, please send a letter along with your project description that describes your vehicle replacement needs and your particular situation.

Please complete the project description and fax it to (512) 416-2830 as soon as possible, but no later than close of business on March 26, 2004. Once the forms are returned, we may be contacting some of the participating agencies to make award adjustments by adding funds returned from agencies that have elected not to participate or to use less than the maximum award amount provided.

If you have any questions, please contact Paul Moon at (512) 416-2825.

Sincerely,

Susan N. Bryant  
Director  
Public Transportation Division

Attachment

cc: Mike Plaster, Texas Transit Association  
Public Transportation Coordinators  
Administration

Grant Number: \_\_\_\_\_  
 (PTN USE ONLY)  
 Project Number: \_\_\_\_\_  
 (PTN USE ONLY)

**Attachment A  
 Project Description and Budget**

Name of Agency: LAREDO MUNICIPAL TRANSIT SYSTEM

Federal Amount: \_\_\_\_\_  
 (maximum) \$610,300

Type of Vehicle	Basic Vehicle Description	ALI Code	No. (#) Vehs.	*Fuel Type	Dual Fuel? (Y/N)	Total Cost of Vehicle(s)	Federal Amount	Non-Federal Funding Amount (match)	Non-Federal Funding Source
1	Raised-Roof Van	11.12.15							
2	Cutaway Bus (<30'), 138" WB	11.12.04							
3	Cutaway Bus (<30'), 158" WB	11.12.04							
3	Cutaway Bus (<30'), 176" WB	11.12.04							
11,15,16	Bus 30 ft.	11.12.03							
	Bus 40 Ft.	11.12.01							
	Bus 35 Ft.	11.12.02	3	CNG	No	\$932,892.0	\$610,300	\$322,592.0	Transit SalesTax
14	Trolley	11.12.09							
	other								
<b>TOTAL</b>									

\*Must be an alternative fuel:

LP (propane), CN (compressed natural gas), LN (liquefied natural gas), DL (diesel, ultra low-sulfur), HE (hybrid electric diesel), HG (hybrid electric natural gas),  
 If another alternative fuel is to be used, use fuel code "OR" and please describe:

Note: Providing 34% match; will be used to exercise bus purchase options.

Please indicate if the agency will participate:

Participation Accepted ☒

Participation Declined ☐

Robert J. Garza

Name of Person Completing Form

Signature

Date

Phone # of person completing this form: 956-795-2288



### COUNCIL COMMUNICATION

DATE:  04 / 19 / 2004	SUBJECT: Resolution 2004-R-035  Authorizing the City Manager to submit a grant application to the Texas Automobile Prevention Authority to fund the Laredo Auto Theft Task Force for the period of September 1, 2004 through August 31, 2005.
INITIATED BY: Cynthia Collazo Assistant City Manager	STAFF SOURCE: Agustin Dovalina, III Chief of Police
PREVIOUS COUNCIL ACTION: None	
ACTION PROPOSED:  That City Council authorize City Manager to submit a grant application to the Governor's Automobile Theft Prevention Authority for funding the Laredo Auto Theft Task Force for the period of September 1, 2004 through August 31, 2005.	
BACKGROUND:  This grant pays salaries, fringe benefits, and equipment and supplies for LPD personnel and Webb County personnel to combat Auto theft in the City of Laredo and Webb County area. This grant will be on its 13 <sup>th</sup> year of funding.	
FINANCIAL:  Funding for this grant will be divided 80% / 20% between the Governor's Automobile Theft Prevention Authority Division and the City of Laredo/Webb County.	
RECOMMENDATION:	STAFF: Recommends that Council authorize the City Manager to submit the application.

**RESOLUTION NO. 2004-R-035**

**Authorizing the City Manager to submit a grant application to the Texas Automobile Prevention Authority to fund the Laredo Auto Theft Task Force for the period of September 1, 2004 through August 31, 2005.**

**Whereas**, the Texas Automobile Theft Prevention Authority grant and the Laredo Police Department will provide one Sergeant and four investigators that will investigate auto theft cases.

**Whereas**, this grant will pay for 80% of salaries, equipment, supplies and training for these officers, and the City of Laredo Police Dept. will pay for the additional 20%.

**Whereas**, the Governor's Office will support this grant for the thirteenth year if goals have been accomplished.

**Whereas**, The City of Laredo has agreed that in the event of loss or misuse of the A.T.P.A. funds, the City of Laredo assures that the funds will be returned to the Automobile Theft Prevention Authority.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

Section 1: The City Manager be authorized to submit a grant application to the Texas Automobile Prevention Authority to fund the Laredo Auto Theft Task Force for the period of September 1, 2004 through August 31, 2005.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JAIME FLORES  
CITY ATTORNEY





## COUNCIL COMMUNICATION

<b>DATE:</b>  4-19-2004	<b>SUBJECT: RESOLUTION NO 2004-R-037</b> AUTHORIZING THE CITY MANAGER TO SIGN AN EARNEST MONEY CONTRACT WITH DAVID SLAUGHTER, SHEILA GLASSFORD AND SLAUGHTER PROPERTIES, LTD., FOR PURCHASE OF 18 BLOCKS AND PARTS OF 6 BLOCKS, AS SHOWN ON EXHIBIT 1 [THE GREATER PART OF THE SLAUGHTER FARM FOR THE FOLLOWING CONSIDERATION FROM THE CITY: 1. CASH IN AMOUNT OF \$2,500,000.00; 2. TITLE INSURANCE UP TO \$14,000.00; 3. FENCING IMPROVEMENTS AT ESTIMATED VALUE OF \$218,912.50; 4. STREET IMPROVEMENTS AT ESTIMATED VALUE OF UP TO \$90,493.75; 5. CONVEYANCE OF THE CITY'S MINERAL INTEREST IN THE PLATTED STREETS IN THE AREA BEING ACQUIRED AND IN THE AREA BEING RETAINED BY SELLERS; AND 6. CONVEYANCE OF THE SURFACE OF CERTAIN STREET SECTIONS IN THE AREA BEING RETAINED BY SELLERS;
<b>INITIATED BY:</b> Larry Dovalina City Manager	<b>STAFF SOURCE:</b> Jaime L. Flores City Attorney
<b>PREVIOUS COUNCIL ACTION:</b> On February 27, 2004 the City Council authorized the City Manager to negotiate and acquire the property known as Slaughter Farm for an amount not to exceed \$2,500,000.00	
<b>BACKGROUND:</b> In negotiations for the acquisition, it transpires that the consideration required of city is more than the figure originally authorized. The consideration to be paid by City will be made up as follows, summarized under A and B, infra:  <b>A. Estimated cash expenditures would be \$2,823, 406.20 consisting of the following elements:</b>  1. \$2,500,000.00 for the purchase of the 18 blocks and parts of 5 other blocks, from the Slaughter Farm. 2. \$14,000.00 for the title insurance. 3. \$218,912.50 for the estimated cost of fencing improvements to the properties retained by the sellers, and to be made sometime later [estimate done 4-05-2004] 4. \$90,493.75 for the estimated cost of improving, platted but unimproved, section of Marion Street between McClelland and Stone Avenues [estimate done 4-05-2004] and <b>Continued overleaf</b>	
<b>FINANCIAL:</b> 455-9810-535-9101	
<b>RECOMMENDATION:</b>	<b>STAFF RECOMMENDATION:</b> to approve
<b>Continued from Page 1:</b>	

## **B. Conveyance by the City to the Sellers of**

1. the surface of those platted streets or sections of same, which are located in the newly reconfigured tracts to be retained by sellers[after they are closed by ordinance]; and which are listed herein as

Tract A of 0.7900 acres out of Marion & Hendricks, as per metes and bounds description which is to be conveyed to David and Millicent Slaughter;

Tract B of 0.4278 acres out of Wooster, as per metes and bounds description which is to be conveyed to David and Millicent Slaughter, subject to retention of an easement for utilities over the whole by the City of Laredo;

Tract C of 0.7927 acres out of McClelland, as per metes and bounds description which is to be conveyed to David and Millicent Slaughter, subject to retention of an easement for utilities over the whole by the City of Laredo; and

Tract D of 0.8084 acres out of McPherson and Gates, as per metes and bounds description, which is to be conveyed to Sheila Slaughter Glassford

2. (a) the City's mineral interest underlying all platted streets lying within the area known as Slaughter Farm, including those referred to in 1, above, and those streets shown on Exhibit 1 attached to the resolution: being

Piedra China between Tilden and Stone

Green between Tilden and Stone

Mercer between Tilden and Stone

Wooster between Tilden and Stone

Marion between the Rio Grande and Stone

Gates between Rio Grande and Stone

Tilden from Piedra China to the Rio Grande

Hendricks from Chacon to the Rio Grande

McClelland from Chacon to the Rio Grande

McPherson from Chacon to the Rio Grande

2 (b) deed without warranty to sellers of any and all right of city to surface of land in the tracts being retained by sellers.

Note: Items (A)(3) and (4) will be contractual obligations to sellers which will survive the closing on the purchase of the Slaughter Farm, and since they are city obligations which are indefinite as to date of completion, the contract must contain the qualifying language that, as to these expenditures, they are subject to appropriation to the extent funding is required in a subsequent fiscal year or subsequent fiscal years.

## **RESOLUTION NO. 2004-R-037**

AUTHORIZING THE CITY MANAGER TO SIGN AN EARNEST MONEY CONTRACT WITH DAVID SLAUGHTER, SHEILA GLASSFORD AND SLAUGHTER PROPERTIES, LTD., FOR PURCHASE OF 18 BLOCKS AND PARTS OF 6 BLOCKS, AS SHOWN ON EXHIBIT 1 ATTACHED TO THIS RESOLUTION, [THE GREATER PART OF THE SLAUGHTER FARM] FOR THE FOLLOWING CONSIDERATION FROM THE CITY:

1. CASH IN AMOUNT OF \$2,500,000.00;
2. TITLE INSURANCE UP TO \$14,000.00;
3. FENCING IMPROVEMENTS AT ESTIMATED VALUE OF \$218,912.50;
4. STREET IMPROVEMENTS AT ESTIMATED VALUE OF UP TO \$90,493.75;
5. CONVEYANCE OF THE CITY'S MINERAL INTEREST IN THE PLATTED STREETS IN THE AREA BEING ACQUIRED AND IN THE AREA BEING RETAINED BY SELLERS; AND
6. CONVEYANCE OF THE SURFACE OF CERTAIN STREET SECTIONS IN THE AREA BEING RETAINED BY SELLERS;

WHEREAS, on February 27, 2004, the City Council by motion authorized the City Manager to negotiate and acquire the property known as Slaughter Farm for an amount not to exceed \$2,500,000.00; and

WHEREAS, the ensuing negotiations have led to the consideration to be provided by the City, exceeding that amount, to include fencing and street improvements adjoining sellers' remaining property, and including conveyance of some street sections, and the mineral interest of the City in all street sections lying within the area known as Slaughter Farm; and

WHEREAS, staff considers that submission of the negotiated contract would most appropriately be submitted to the city council for approval;

WHEREAS, the City Council finds the proposed contract is in the best interest of the City for the purpose of acquiring the Slaughter Farm for public park purposes

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

**Section 1:** It approves the earnest money contract of which the elements of the consideration to be paid for the said 18 blocks and parts of 6 blocks, shown on Exhibit 1, consist of the following:

1. \$2,500,000.00 cash to sellers
2. \$14,000.00 for the title insurance.
3. \$218,912.50 for the estimated cost of fencing improvements to the properties retained by the sellers, and to be made sometime later [estimate done 4-05-2004]
4. \$90,493.75 for the estimated cost of improving, platted but unimproved, section of Marion

Street between McClelland and Stone Avenues [estimate done 4-05-2004]

5. the conveyance by City of the surface of those platted streets or sections of same, which are located in the newly reconfigured tracts to be retained by sellers and which are listed herein as

- (a) Tract A of 0.7900 acres out of Marion & Hendricks, as per metes and bounds description which is to be conveyed to David and Millicent Slaughter;
- (b) Tract B of 0.4278 acres out of Wooster, as per metes and bounds description which is to be conveyed to David and Millicent Slaughter, subject to retention of an easement for utilities over the whole by the City of Laredo;
- (c) Tract C of 0.7927 acres out of McClelland, as per metes and bounds description which is to be conveyed to David and Millicent Slaughter, subject to retention of an easement for utilities over the whole by the City of Laredo; and
- (d) Tract D of 0.8084 acres out of McPherson and Gates, as per metes and bounds description, which is to be conveyed to Sheila Slaughter Glassford

6. the conveyance by City of its ownership of the minerals underlying all platted streets lying within the area known as Slaughter Farm, including those referred to in 5, above, and the said platted streets shown on Exhibit 1 attached hereto and which are listed herein as

Piedra China between Tilden and Stone  
Green between Tilden and Stone  
Mercer between Tilden and Stone  
Wooster between Tilden and Stone  
Marion between the Rio Grande and Stone  
Gates between Rio Grande and Stone  
Tilden from Piedra China to the Rio Grande  
Hendricks from Chacon to the Rio Grande  
McClelland from Chacon to the Rio Grande  
McPherson from Chacon to the Rio Grande

**Section 2:** It authorizes the City Manager to sign the earnest money contract, and to take all necessary actions to complete the acquisition, including submission of the necessary ordinances relating to the closed streets and the conveyance of the mineral interests in certain streets..

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS, THE \_\_\_\_  
DAY OF APRIL, 2004.

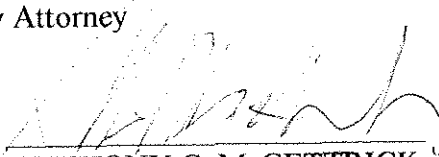
\_\_\_\_\_  
ELIZABETH G. FLORES  
Mayor

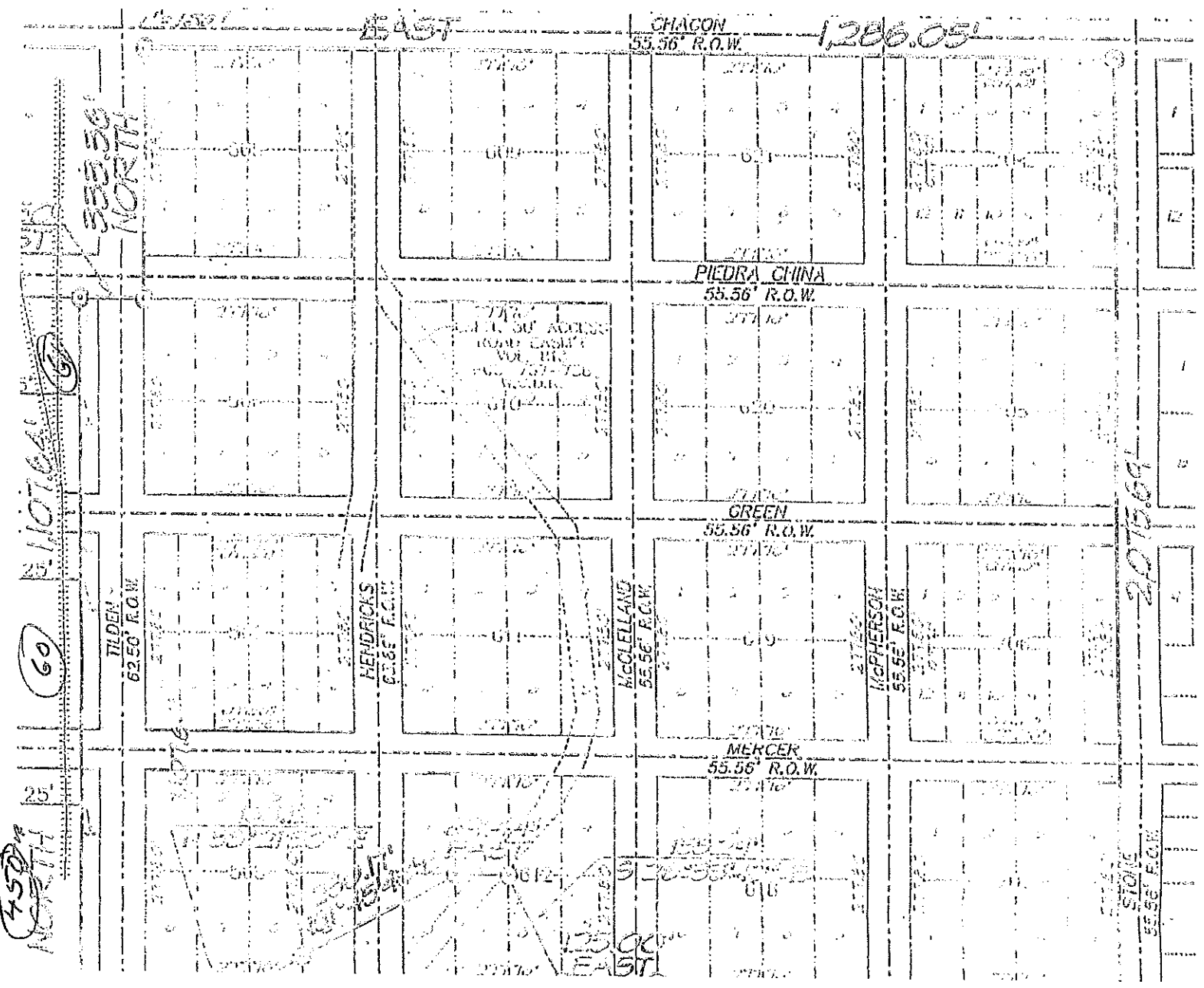
ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR  
City Secretary

APPROVED AS TO FORM:  
JAIME L. FLORES  
City Attorney

By:

  
\_\_\_\_\_  
ANTHONY C. McGETTRICK  
Asst. City Attorney



450' NORTH

60

1107.04

1286.05

2075.64

55.56' R.O.W.

CHACON  
55.56' R.O.W.

PIEDRA CHINA  
55.56' R.O.W.

GREEN  
55.56' R.O.W.

MERCER  
55.56' R.O.W.

TILDEN  
62.50' R.O.W.

HENDRICKS  
62.50' R.O.W.

MCCLELLAND  
55.56' R.O.W.

MCPHERSON  
55.56' R.O.W.

1250' EAST





## COUNCIL COMMUNICATION

<b>DATE:</b> 04/1904	<b>SUBJECT: MOTIONS</b> Consideration to award contract FY03-125 to Carolyn Arnold Communications Consultant (CACC) Inc., Boerne, Texas for conducting a telephone inventory and audit; and authorizing the City Manager to sign all contract documents. This firm will conduct a physical inventory of city phone service and a telephone bill audit will be performed to include an assessment of charges for services being billed by voice and data providers. This is a contingency contract in which this vendor is compensated only after a refund has been received by the City of Laredo based on this audit. The compensation will be 45% of the saving incurred by each recommendation accepted by the City of Laredo to reduce telephone expenses for a twelve month period.					
<b>INITIATED BY:</b> Larry Dovalina, City Manager		<b>STAFF SOURCE:</b> Francisco Meza, Purchasing Agent				
<b>PREVIOUS COUNCIL ACTION:</b> None.						
<p><b>BACKGROUND:</b> The City received two proposals for conducting a telephone inventory and audit of telephone services. These are contingency based proposals in which the contract vendor is required to conduct a physical inventory of phone service and a telephone bill audit to include an assessment of charges for services being billed by voice and data providers.</p> <p>A staff committee consisting of Susana Ramos, City Manager Office Administrative Assistant, Mario Ruiz, I-Net Coordinator, and Francisco Meza, Purchasing Agent evaluated and ranked the two proposals. Based on the evaluation criteria, staff is recommending that a contract be awarded to CACC Inc.</p> <p>Proposals Submitted:</p> <table style="width: 100%;"><tr><td style="width: 35%;">CACC Inc</td><td>Contingency fee: 45%</td></tr><tr><td>Phone Billing Examiners</td><td>Contingency fee: 50%</td></tr></table>			CACC Inc	Contingency fee: 45%	Phone Billing Examiners	Contingency fee: 50%
CACC Inc	Contingency fee: 45%					
Phone Billing Examiners	Contingency fee: 50%					
<b>FINANCIAL IMPACT:</b> This is a contingency contract and any fees paid to the consultant will be realized from the user departments.						
<b>COMMITTEE RECOMMENDATION:</b>		<b>STAFF RECOMMENDATION:</b> It is recommended that this contract be authorized.				



## COUNCIL COMMUNICATION

<b>DATE:</b>  04/19/2004	<b>SUBJECT: MOTION(S)</b> Consideration for approval to award an engineering contract in the amount not to exceed \$29,900.00 to Arcadis, Laredo, Texas, for the Water Park Feasibility Phase II. Funding is available in the Capital Improvement Projects Fund - Water Park Study.	
<b>INITIATED BY:</b> Larry Dovalina, City Manager		<b>STAFF SOURCE:</b> Rogelio Rivera, P.E., City Engineer
<b>PREVIOUS COUNCIL ACTION:</b> None.		
<b>BACKGROUND:</b> Scope of services include, but are not limited to:  <b>Task A: Project Management</b> * Coordinate with NBGS consultants and the City of Laredo.  <b>Task B: Preliminary Utility Coordination</b> * Coordinate with City of Laredo Utility Coordination and propose preliminary tie-ins.  <b>Task C: Site Plan Schematic Alternatives</b> * Develop a maximum of 3 site plan schematics. Aerials will be utilized.  <b>Task D: Final Site Plan Schematic</b> * Prepare the final site plan schematic. Aerials will be utilized.  <b>Task E: Color Rendition of Final Site Plan Schematic</b> * Prepare a full size color rendition of final site plan schematic.  <b>Task F: Preliminary Technical Memorandum</b> <b>Preliminary Memorandum will include:</b> * Preliminary demolition plan * Existing and proposed water and wastewater lines, * Predicted water usage, * Water recycling, * Water park outfall, and the * Preliminary estimate.  <div style="text-align: center;">Continue on Page 2 of 2</div>		
<b>FINANCIAL IMPACT:</b> Funding is available in the Capital Improvement Projects Fund - Water Park Study. Account No. 402-4324-535-5103		
<b>COMMITTEE RECOMMENDATION:</b> N/A.		<b>STAFF RECOMMENDATION:</b> Approval of Motion.

**Deliverables:**

Phase 2 will consist of the following deliverables:

- \*Lake Casa Blanca Schematic Alternatives (maximum of three),
- \*Final Lake Casa Blanca Water Park Schematic,
- \*One colored rendition of Lake Casa Blanca, and the
- \*Preliminary Technical Memorandum to include: preliminary estimate, preliminary demolition plan, existing utilities, proposed utilities, predicted water usage, water recycling, and the proposed water park outfall.

This scope of work does not include the following items, which may be performed by Arcadis as an additional services as Phase 3:

- \*Topographic survey and legal descriptions
- \*Environmental tasks and the coordination required with the COE and other government agencies,
- \*Public meetings,
- \*Coordination with TxDot,
- \*Geotechnical,
- \*Landscaping plan,
- \*Drainage and detention pond calculations, and
- \*Detailed or final design calculation or drawings.

Contract time is to be on a fast track basis approximately ninety (90) working days after notice to proceed is issued.



## COUNCIL COMMUNICATION

<b>DATE:</b>  4-19-04	<b>SUBJECT: MOTION</b> Approving that the Laredo International Airport enter into a Gold Sponsorship contract with the Ms. Texas USA Pageant in the amount of \$50,000.00. Funding is available in the FY 04 Airport Construction Budget under the Small Communities Air Service Development Program.
<b>INITIATED BY:</b> Cynthia Collazo Assistant City Manager	<b>STAFF SOURCE:</b> Jose L. Flores Airport Director
<b>PREVIOUS ACTION:</b> None	
<b>BACKGROUND:</b> <p>The U. S. Department of Transportation who oversees the Small Community Air Service Development Grant Program has determined that the proposed Gold Sponsorship of the Miss Texas USA Pageant is grant eligible.</p> <p>Laredo is extremely proud that we can be the host city for the Miss Texas USA Pageant for the next five years beginning June 2004. This event will showcase the City of Laredo in all of the State's twenty major markets in Texas, New Mexico, Louisiana and Oklahoma. The telecast will be viewed by over 8 million households. I think that this is an excellent opportunity to promote the Laredo International Airport and the major airlines providing service from the airport.</p> <p>The most prestigious state pageant in the nation, the Emmy Award winning Miss Texas USA will be telecast from the Laredo Entertainment Center June 27, 2004. The pageant will paint an indelible visual image of the beauty, attractions and opportunities that Laredo has to offer. Well known TV personality Dan O'Rourke and former Miss Texas USA, Christine Friedel, will co-host the program. MISS USA then goes on to the ultimate of pageants, MISS UNIVERSE.</p> <p>The City is making an impressive financial commitment in order to host the Miss Texas USA Pageant. The benefits to the City and our business community are enormous. The City will receive over \$900,000 of television exposure to glamorize and promote the tourist and business relocation attractions of the area. The week-long event will attract approximately 2,000 friends and families of contestants that will converge on the City, many of them making it their vacation and bringing over \$300,000 of revenue to local hotels, gift shops, restaurants and attractions.</p> <p>The Laredo International Airport in cooperation with American, Azteca and Continental Airlines can be one of two Gold Sponsors during the fast moving, exciting, two-hour extravaganza featuring over 100 of Texas' most beautiful young women. The cost of the Gold Sponsorship is \$50,000.00. Your participation and benefits are outlined in the enclosed attachment.</p> <p>See the attached Value Package for Corporate Sponsor...G O L D S P O N S O R</p>	
<b>FINANCIAL:</b> Funding is available under the Small Communities Air Service Development Program City Promotion account 433-3659-563-5677 with pending transfers within grant funding.	
<b>COMMITTEE RECOMMENDATION:</b> The Airport Advisory Committee	<b>STAFF RECOMMENDATION:</b> That the City Manager execute a Gold Sponsorship contract with the Miss Texas USA Pageant on behalf of the Laredo International Airport.

*Value Package for Corporate Sponsor...*

**GOLD SPONSOR**

<ul style="list-style-type: none"> <li>• 2 x :30 second commercials during live telecast. ( All 20 Texas TV markets- 7,800,000 homes. See 2002 cost, Mampre Media International</li> </ul>	\$56,720
<ul style="list-style-type: none"> <li>• Sponsor <i>personal introduction</i>, as a gold sponsor, for you and your business during live telecast</li> </ul>	10,000
<ul style="list-style-type: none"> <li>• 2 personal appearances by Miss Texas USA to increase awareness of your company and/or products to include autograph signing sessions (travel expenses provided by sponsor).</li> </ul>	4,500
<ul style="list-style-type: none"> <li>• 10 VIP tickets to Final Show</li> </ul>	750
<ul style="list-style-type: none"> <li>• 10 VIP tickets to Preliminary Show</li> </ul>	500
<ul style="list-style-type: none"> <li>• 2 full page black and white ads in pageant program book</li> </ul>	2,000
<ul style="list-style-type: none"> <li>• 10 tickets to Coronation Ball</li> </ul>	500
<ul style="list-style-type: none"> <li>• 10 invitations to contestant's Welcome Reception</li> </ul>	500
<ul style="list-style-type: none"> <li>• 10 pageant program books</li> </ul>	100
<ul style="list-style-type: none"> <li>• Sponsor representative to judge swimsuit competition</li> </ul>	PR
<ul style="list-style-type: none"> <li>• On-stage, 8 X 10 color, autographed photo with Miss Texas USA</li> </ul>	PR
TOTAL PACKAGE VALUE	\$75,570





## COUNCIL COMMUNICATION

<b>DATE:</b>  April 19, 2004	<b>SUBJECT: Motion</b> Authorizing the City Manager to amend Club Olympia's third party funding contract Section 4 and Section 5 which requires quarterly reimbursement and allowing a one time payment for services provided. Club Olympia's activities take place during May, June, July, and August.	
<b>INITIATED BY:</b> Larry Dovalina City Manager		<b>STAFF SOURCE:</b> Homero Vazquez-Garcia, Coordinator Nonprofit Management and Volunteer Center
<b>PREVIOUS COUNCIL ACTION:</b> City Council had approved existing contract on October 20, 2003.		
<b>BACKGROUND:</b>  Amendment requested in order to accommodate the Agencies event schedule. Club Olympia's activities take place May, June, July, and August.		
<b>FINANCIAL:</b> Club Olympia of Laredo Account # 101-3010-543-54-74 Purchase Order # 071627 Contract Amount \$3750.00		
<b>RECOMMENDATION:</b> N/A		<b>STAFF:</b> Authorize the City Manager to sign and implement the contract.



# COUNCIL COMMUNICATION

<b>DATE:</b> 04/19/04	<b>SUBJECT: MOTIONS</b> Consideration to award contract FY04-052 to the low bidder, G. T. Distributors, Inc., Austin, Texas in the estimated amount of \$45,599.24 for the purchase of new holsters for the Police Department. The current duty holsters will be replaced with level III holsters that provide greater protection from unauthorized removal of the service pistol. All current duty holsters will be replaced. Funding is available in the Police Department budget.											
<b>INITIATED BY:</b> Cynthia Collazo, Assistant City Manager		<b>STAFF SOURCE:</b> Agustin Dovalina III, Chief of Police Francisco Meza, Purchasing Agent										
<b>PREVIOUS COUNCIL ACTION: None.</b>												
<b>BACKGROUND:</b> The City received four bids for the purchase of replacement duty holsters for the police officers. The current duty holster will be replaced with a level III holsters that provides greater protection from unauthorized removal of the service pistol. Four hundred and ninety three holsters will be replaced. Delivery of all holsters is expected within forty five days.  Bid Summary <table border="1"><tr><th>Vendor</th><th>Bid Total</th></tr><tr><td>G.T. Distributors</td><td>\$45,599.24</td></tr><tr><td>Sterling Uniforms</td><td>\$49,637.25</td></tr><tr><td>JJJ Safety Equipment</td><td>\$54,945.00</td></tr><tr><td>Code Blue</td><td>\$56,673.00</td></tr></table>			Vendor	Bid Total	G.T. Distributors	\$45,599.24	Sterling Uniforms	\$49,637.25	JJJ Safety Equipment	\$54,945.00	Code Blue	\$56,673.00
Vendor	Bid Total											
G.T. Distributors	\$45,599.24											
Sterling Uniforms	\$49,637.25											
JJJ Safety Equipment	\$54,945.00											
Code Blue	\$56,673.00											
<b>FINANCIAL IMPACT:</b> Funding is available in the Police Department budget. Police Department – Materials and Supplies Account Number: 101-2310-522-0800												
<b>COMMITTEE RECOMMENDATION:</b>		<b>STAFF RECOMMENDATION:</b> It is recommended that this contract be approved.										



# COUNCIL COMMUNICATION

<b>DATE:</b> 04/19/04	<b>SUBJECT: MOTIONS</b> Consideration to award contract FY04-046 to the low bidder, G. T. Distributors, Austin, Texas in the amount of \$79,500.65 for the purchase of 225, new SIG Sauer pistols for the Police Department. The contract includes a trade in allowance for 185 duty pistols that will be replaced. Funding is available in the Police Trust Fund.
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<b>INITIATED BY:</b> Cynthia Collazo, Assistant City Manager	<b>STAFF SOURCE:</b> Agustin Dovalina III, Chief of Police Francisco Meza, Purchasing Agent
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<b>PREVIOUS COUNCIL ACTION:</b> None.
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**BACKGROUND:** The City received three bids for the purchase of 225, new Sig Sauer duty pistols for the police officers. The contract includes a trade in allowance for 185 duty pistols that will be replaced. Delivery of all pistols is expected within sixty to ninety days.

**Bid Summary**

		G. T. Distributors		G & C Wholesale		Davidson's Dist.	
	Qty.	Unit Price	Total	Unit Price	Total	Unit Price	Total
Sig Sauer .45 cal. pistol	225	\$558.90	\$125,752.50	\$548.00	\$123,300.00	\$611.23	\$137,526.75
Trade In Allowance	185	(\$250.01)	(\$ 46,251.85)	(\$210.00)	(\$ 38,850.00)	(\$210.00)	(\$ 38,850.00)
<b>Total Contract Pricing</b>			<b>\$ 79,500.65</b>		<b>\$ 84,450.00</b>		<b>\$ 98,676.75</b>

**FINANCIAL IMPACT:** Funding is available in the Police Trust Fund.

Police Trust Fund – Minor Apparatus and Tools  
Account Number: 665-0000-522-2400

<b>COMMITTEE RECOMMENDATION:</b>	<b>STAFF RECOMMENDATION:</b> It is recommended that this contract be approved.
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### COUNCIL COMMUNICATION

DATE:  04/19/04	SUBJECT: <b>MOTION</b>  Authorizing the City Manager to submit a grant application to the U.S. Department of Justice (USDOJ) for an Interoperable Voice Communication and Information Sharing system. The amount requested from the U.S. Department of Justice will be \$4,000,000 and the City's cash match will be \$1,000,000 (25%) of the total award.	
INITIATED BY: Cynthia Collazo Assistant City Manager		STAFF SOURCE: Agustin Dovalina, III. Chief of Police
PREVIOUS COUNCIL ACTION:   None		
<b>BACKGROUND:</b>  The National Institute of Justice (NIJ) seeks proposals for research in and development and/or demonstration of emerging technology solutions for interoperable voice communications and information sharing for use by public safety agencies. Inadequate and unreliable wireless communications and information sharing have plagued public safety agencies for decades. Through the AGILE program, NIJ is interested in technologies that will help public safety agencies address these issues and in understanding how these technologies could fit into a broader, national-level interoperability solution.  Through this funding, the Laredo Police Department will develop and test a new radio system using 800MHz with digital trunking capabilities. This system will allow seamless communication between different frequencies regardless of the make or model of the radio involved. All law enforcement agencies will be able to communicate with one another during times of emergencies or disasters.		
<b>FINANCIAL:</b>  Requested funding from DOJ is \$4,000,000 and the City's cash match will be \$1,000,000.		
<b>RECOMMENDATION:</b>  To authorize the City Manager to submit the grant application to DOJ.		<b>STAFF:</b>





## COUNCIL COMMUNICATION

<b>DATE:</b> 04/19/04	<b>SUBJECT: MOTIONS</b> Consideration to reject the sole bid received for contract FY04-066 from Wirtgen America, Antioch, TN for the purchase of a pavement profiler (milling machine). The bid submitted by the vendor exceeded the funds allocated for this equipment. The bid specifications will be modified and new bids solicited.	
<b>INITIATED BY:</b> Larry Dovalina, City Manager		<b>STAFF SOURCE:</b> Rogelio Rivera, Engineering - Public Works Dept. Director Francisco Meza, Purchasing Agent
<b>PREVIOUS COUNCIL ACTION: None.</b>		
<b>BACKGROUND:</b> The City received a sole bid for the purchase of a pavement profiler (milling machine) from Wirtgen America in the amount of \$328,500.00. The bid pricing far exceeds the allocated funding for this equipment. The bid specifications will be modified to allow more vendors the opportunity to submit a bid.  Bid Summary: Wirtgen America                      \$328,000.00 Antioch, TN		
<b>FINANCIAL IMPACT:</b> Funding will be available from PPFCO proceeds. 2003 PPFCO Contractual Obligation Bond – Automotive Equipment Account Number: 401-9860-515-9004		
<b>COMMITTEE RECOMMENDATION:</b>		<b>STAFF RECOMMENDATION:</b> It is recommended that the sole bid be rejected and new bids solicited.



# COUNCIL COMMUNICATION

<b>DATE:</b> 04/19/04	<b>SUBJECT: MOTIONS</b> Consideration to award contract number FY04-069, to the <u>LOW BIDDER</u> , JJJ International Safety Equipment, Laredo, Texas, in the estimated amount of \$25,000.00, for providing powered electrolyte replacement drinks (Sqwincher) for City service crews. Electrolyte replacement drinks are purchased on as need basis during the summer months for the service crews to prevent dehydration. The contract pricing is approximately 7% less than the previous contract period. Funds are available in the following budgets: Public Works, Solid Waste, Fleet Maintenance, Traffic Safety, Engineering, and Risk, Parks and Recreation.																																																							
<b>INITIATED BY:</b> Larry Dovalina, City Manager	<b>STAFF SOURCE:</b> Francisco Meza, Purchasing Agent																																																							
<b>PREVIOUS COUNCIL ACTION:</b> None.																																																								
<b>BACKGROUND:</b> The City received six bids for providing electrolyte replacement drinks (Sqwincher) for city service crews. Service departments are allowed to purchase these powdered drinks during the summer months to prevent dehydration.																																																								
<table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="width: 35%;">Vendor</th> <th style="width: 15%;">Cost/Pkg.</th> <th style="width: 15%;">Discount</th> <th style="width: 15%;">Cost/Pkg. w/discount</th> <th style="width: 20%;">Product</th> </tr> </thead> <tbody> <tr> <td>JJJ International Safety Equipment</td> <td>\$1.92</td> <td>2% 10 days</td> <td>\$1.88</td> <td>Sqwincher</td> </tr> <tr> <td>Airgas Southwest</td> <td>\$1.92</td> <td></td> <td>\$1.92</td> <td>Sqwincher</td> </tr> <tr> <td>Alamo Iron Works</td> <td>\$2.04</td> <td></td> <td>\$2.04</td> <td>Sqwincher</td> </tr> <tr> <td>JJJ International Safety Equipment</td> <td>\$2.08</td> <td>2% 10 days</td> <td>\$2.04</td> <td>PowerAde</td> </tr> <tr> <td>Laredo Coca-Cola</td> <td>\$2.125</td> <td></td> <td>\$2.125</td> <td>PowerAde</td> </tr> <tr> <td>Alamo Iron Works</td> <td>\$2.17</td> <td></td> <td>\$2.17</td> <td>Gatorade</td> </tr> <tr> <td>Airgas Southwest</td> <td>\$2.18</td> <td></td> <td>\$2.18</td> <td>Gatorade</td> </tr> <tr> <td>JJJ International Safety Equipment</td> <td>\$2.18</td> <td></td> <td>\$2.18</td> <td>Gatorade</td> </tr> <tr> <td>Braun Beef Company</td> <td>\$2.2359</td> <td>½% 10 days</td> <td>\$2.2247</td> <td>Gatorade</td> </tr> <tr> <td>Nations Rent</td> <td>\$2.33</td> <td></td> <td>\$2.33</td> <td>Gatorade</td> </tr> </tbody> </table>		Vendor	Cost/Pkg.	Discount	Cost/Pkg. w/discount	Product	JJJ International Safety Equipment	\$1.92	2% 10 days	\$1.88	Sqwincher	Airgas Southwest	\$1.92		\$1.92	Sqwincher	Alamo Iron Works	\$2.04		\$2.04	Sqwincher	JJJ International Safety Equipment	\$2.08	2% 10 days	\$2.04	PowerAde	Laredo Coca-Cola	\$2.125		\$2.125	PowerAde	Alamo Iron Works	\$2.17		\$2.17	Gatorade	Airgas Southwest	\$2.18		\$2.18	Gatorade	JJJ International Safety Equipment	\$2.18		\$2.18	Gatorade	Braun Beef Company	\$2.2359	½% 10 days	\$2.2247	Gatorade	Nations Rent	\$2.33		\$2.33	Gatorade
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<b>FINANCIAL IMPACT:</b> Funds are available in the following budgets: Public Works – Account number: 101-2740-532-1000 Solid Waste – Account number: 556-2550-532-1000 / 556-2560-532-1000 Fleet Maintenance – Account number: 593-2810-532-1000 Parks and Recreation – Account number: 101-3110-552-1000 Traffic Safety – Account number: 101-2610-522-1000																																																								
<b>COMMITTEE RECOMMENDATION:</b>	<b>STAFF RECOMMENDATION:</b> It is recommended that this contract be awarded.																																																							



# COUNCIL COMMUNICATION

<b>DATE:</b> 04/19/04	<b>SUBJECT: MOTIONS</b> Consideration to award contract FY04-049 to the lowest bidder meeting specifications, Laurel Battery, Laredo, Texas in the estimated annual amount of \$29,642.70 for providing automotive batteries for the City's fleet. Funding is available in the Fleet Maintenance budget.  This contract will be for a period of one year. Since no battery inventory is maintained at the maintenance facility, all batteries are purchased on an as needed basis. The City did receive lower bids from another vendor; however, the batteries proposed by this vendor did not meet the minimum acceptable cranking amps or the reserve capacity rating required by the City.																														
<b>INITIATED BY:</b> Larry Dovalina, City Manager		<b>STAFF SOURCE:</b> Roberto Murillo, Traffic Safety and Fleet Maintenance Department Director Francisco Meza, Purchasing Agent																													
<b>PREVIOUS COUNCIL ACTION:</b> Tabled the recommendation to reject all bids at the City Council meeting of 4/05/04 and instructed staff to award this contract at the next City Council meeting.																															
<b>BACKGROUND:</b> The City received five bids for the purchase of automotive batteries for the City's automotive fleet. This contract will be for a period of one year. Since no battery inventory is maintained at the maintenance facility, all batteries are purchased on an as needed basis. The City did receive lower bids from another vendor; however, the batteries proposed by this vendor did not meet the minimum acceptable cranking amps or the reserve capacity rating required by the City.																															
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<b>FINANCIAL IMPACT:</b> The purchase of these parts are budgeted in the Fleet Maintenance Division's line item for parts and batteries.  Fleet Maintenance Division – Parts and Batteries Account Number: 593-2810-533-2071																															
<b>COMMITTEE RECOMMENDATION:</b>		<b>STAFF RECOMMENDATION:</b> It is recommended that this contract be awarded.																													

**BID TABULATION - AUTOMOTIVE BATTERIES - FY04-049**

**OPTION-A - 1 YR. WARRANTY**

DESCRIPTION	QTY.	O'REILLY AUTO		PEP BOYS		GONZALES AUTO		RUSH TRUCK CTR.		LAUREL BATTERY	
		PRICE	TOTAL	PRICE	TOTAL	PRICE	TOTAL	PRICE	TOTAL	PRICE	TOTAL
1 BAT-78	50	38.39	1,919.50	NO BID	-	48.54	2,427.00	44.23	2,211.50	NO BID	-
2 BAT-58R	16	38.39	614.24	NO BID	-	36.72	587.52	48.51	776.16	NO BID	-
3 BAT-31P	24	54.50	1,308.00	NO BID	-	58.15	1,395.60	64.22	1,541.28	NO BID	-
4 BAT-31S	120	54.50	6,540.00	71.96	8,635.20	56.53	6,783.60	64.22	7,706.40	NO BID	-
5 BAT-24F	14	30.71	429.94	31.95	447.30	26.95	377.30	39.71	555.94	NO BID	-
6 BAT-24	18	30.71	552.78	31.95	575.10	26.95	485.10	38.53	693.54	NO BID	-
7 BAT-65	200	46.07	9,214.00	41.95	8,390.00	43.30	8,660.00	59.02	11,804.00	NO BID	-
8 BAT-58	10	55.99	559.90	31.95	319.50	36.72	367.20	42.38	423.80	NO BID	-
		TOTAL	21,138.36		18,367.10		21,083.32		25,712.62		
					INC.						

**OPTION-B- 18 MTH. WARRANTY**

DESCRIPTION	QTY.	O'REILLY AUTO		PEP BOYS		GONZALES AUTO		RUSH TRUCK CTR.		LAUREL BATTERY	
		PRICE	TOTAL	PRICE	TOTAL	PRICE	TOTAL	PRICE	TOTAL	PRICE	TOTAL
1 BAT-78	50	38.39	1,919.50	46.04	2,302.00	48.54	2,427.00	44.23	2,211.50	63.95	3,197.50
2 BAT-58R	16	38.39	614.24	37.76	604.16	36.72	587.52	48.51	776.16	55.00	880.00
3 BAT-31P	24	54.50	1,308.00	NO BID	-	58.15	1,395.60	64.22	1,541.28	69.95	1,678.80
4 BAT-31S	120	54.50	6,540.00	NO BID	-	56.33	6,759.60	64.22	7,706.40	69.95	8,394.00
5 BAT-24F	14	30.71	429.94	37.76	528.64	26.95	377.30	39.71	555.94	46.95	657.30
6 BAT-24	18	30.71	552.78	37.76	679.68	26.95	485.10	38.53	693.54	46.95	845.10
7 BAT-65	200	73.87	14,774.00	37.76	7,552.00	43.30	8,660.00	59.02	11,804.00	69.95	13,990.00
		TOTAL	26,138.46	TOTAL	11,666.48	TOTAL	20,692.12	TOTAL	25,288.82	TOTAL	29,642.70
					INC.						



## CITY COUNCIL COMMUNICATION

<b>DATE:</b> 04-19-04	<b>SUBJECT: MOTION</b> AUTHORIZING THE CITY MANAGER TO ACCEPT AND EXECUTE THE BUS EXTERIOR AND INTERIOR ADVERTISING SERVICES CONTRACT BETWEEN THE CITY OF LAREDO (CITY) AND BUS ADS (CONTRACTOR). CONTRACTOR SHALL BE ENTITLED TO MAINTAIN, AND PLACE ADVERTISEMENTS ON AND INSIDE EL METRO BUSES FOR THE TERM OF THREE (3) YEARS COMMENCING ON MAY 1, 2004 AND EXTENDING TO APRIL 30, 2007 FOR THE GREATER OF THE MINIMUM ANNUAL GUARANTEED REVENUE OR FIFTY PERCENT OF NET BILLINGS AS DESCRIBED IN THE CONTRACT. END OF CONTRACT IS NEGOTIABLE FOR ADDITIONAL TWO (2) - ONE (1) YEAR OPTIONS.	
<b>INITIATED BY:</b> Larry Dovalina, City Manager		<b>STAFF SOURCE:</b> Thomas N. Lucek, Transit General Manager
<b>PREVIOUS COUNCIL ACTION:</b> None.		
<b>BACKGROUND:</b> Notice was given to accept proposals to provide the City of Laredo and Laredo Transit Management Inc. bus wrap exterior and interior advertising services. After evaluating all four proposals received, staff is recommending approval to award contract to Bus Ads from Laredo. The CITY shall be entitled to receive during the term of the contract the <u>greater</u> calculation A. and B. as follows. Note that the calculations include two (2) one (1) year renewal options:  A. Minimum Annual Guaranteed Payment  Year 1 \$25,000 Year 2 \$30,000 Year 3 \$35,000 Year 4 \$35,000 (First Year Renewal) Year 5 \$35,000 (Second Year Renewal) CONTRACTOR shall provide equally divided monthly installments for each annual guaranteed payment as described in Response.  B. In each year, fifty percent (50%) of net billings, being gross bus advertising revenue less cost of sale (cost of sales include customary commission paid to advertising agencies or sales representatives other than the CONTRACTOR staff, if any, at a rate not exceeding fifteen percent (15%) of gross billings) as described in Section X. Part A. in the proposal.		
<b>FINANCIAL:</b> Revenues will be deposited to the Advertising Revenue Account No. 558-0000-339-2001.		
<b>RECOMMENDATION:</b>		<b>STAFF:</b> Staff recommends passage of motion and award contract.





## COUNCIL COMMUNICATION

<b>DATE:</b>  04/19/2004	<b>SUBJECT: MOTION(S)</b> Consideration for approval of change order no. 1 an increase of \$39,000.00 to the construction contract with Rhino Builders, Ltd., Laredo, Texas, for the Seven Flags Park Rehabilitation Project to construct a 4" thick reinforced concrete slab over 13,000 square feet at skate park location, and which was not included in original plans. Funding is available in the Capital Improvement Projects Fund - Seven Flags Park.								
<b>INITIATED BY:</b> Larry Dovalina, City Manager	<b>STAFF SOURCE:</b> Rogelio Rivera, P.E., City Engineer								
<b>PREVIOUS COUNCIL ACTION:</b> On March 29, 2004 City Council awarded a construction contract to the sole bidder Rhino Builders, Ltd., Laredo, Texas, for the Seven Flags Park Rehabilitation Project in the bid amount of \$411,792.25.									
<b>BACKGROUND:</b> <p>The Scope of Work for the Seven Flags Park located at the corner of McDonnell and Guerrero Street adjacent to the J.C. Martin Elementary School and on the banks of the Zacate Creek includes selective demolition and new construction and installation of concrete flatwork, flag poles, pre-engineered modular for skate and playground equipment, landscaping and irrigation systems. Other park improvements include installation of picnic tables, shelters, park benches, bar-b-que grilles and miscellaneous park related items.</p> <p>Plans and specifications were prepared by Rosin-Johnson, Inc., Laredo, Texas.</p> <p>This change order no. 1 is to construct a 4" thick reinforced concrete slab over 13,000 square feet at skate park location, pursuant to specifications to be provided by consultant. This item was not included in the original plans.</p> <table style="width: 100%; border: none;"> <tr> <td style="border: none;"><b>Original contract amount.....</b></td> <td style="border: none; text-align: right;"><b>\$411,792.25</b></td> </tr> <tr> <td colspan="2" style="border: none;">(Awarded by City Council on March 29, 2004)</td> </tr> <tr> <td style="border: none;"><b>This change order no. 1.....</b></td> <td style="border: none; text-align: right;"><b>\$ 39,000.00</b></td> </tr> <tr> <td style="border: none;"><b>Current construction contract amount.....</b></td> <td style="border: none; text-align: right;"><b>\$450,792.25</b></td> </tr> </table>		<b>Original contract amount.....</b>	<b>\$411,792.25</b>	(Awarded by City Council on March 29, 2004)		<b>This change order no. 1.....</b>	<b>\$ 39,000.00</b>	<b>Current construction contract amount.....</b>	<b>\$450,792.25</b>
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<b>This change order no. 1.....</b>	<b>\$ 39,000.00</b>								
<b>Current construction contract amount.....</b>	<b>\$450,792.25</b>								
<b>FINANCIAL IMPACT:</b> Funding is available in the Capital Improvement Projects Fund - Seven Flags Park. Account No. 402-4322-535-4180									
<b>COMMITTEE RECOMMENDATION:</b> N/A.	<b>STAFF RECOMMENDATION:</b> Approval of Motion.								



## COUNCIL COMMUNICATION

<b>DATE:</b> 04/19/04	<b>SUBJECT: MOTION</b> Authorizing the City Manager to enter into a six (6) game contract with Vaswani Soccer Ventures, LLC., (Laredo Heat Soccer) for use of Veteran's Field for an amount of \$15,400.00 and 15% of gross concession sales. The primary purpose of this agreement is to provide a venue for the Laredo Heat Soccer League home games.	
<b>INITIATED BY:</b> Larry Dovalina City Manager		<b>STAFF SOURCE:</b> Horacio De Leon, Jr. Parks and Recreation Director
<b>PREVIOUS COUNCIL ACTION:</b> On April 5, 2003 City Council addressed the status of the request for use of Veteran's Field for exhibition soccer games by the Laredo Heat.		
<b>BACKGROUND:</b>  The Laredo Heat Soccer League is a developing branch of the United Soccer League a league that has a long established relationship with the City of Laredo and the Parks and Recreation Department.  The Laredo Heat representative, Vaswani Soccer Ventures, LLC. recently approached City Council to request use of a field for a series of planned exhibition games. City staff has meet on the field use request and has agreed to establish a contract agreement.  The Veterans' Field maintenance costs are estimated at \$700 per game with additional utility costs at \$200 per game.		
<b>FINANCIAL IMPACT:</b> Revenues collected from this lease agreement in the amount of \$15,400.00 plus 15% of gross concession sales will be reflected in the General Fund. Field use fees to be deposited in 101-0000-361-1007. Concession revenues to be deposited in 101-0000-361-3007.		
<b>COMMITTEE RECOMMENDATION:</b>  N/A		<b>STAFF RECOMMENDATION:</b>  Staff recommends approval.



## COUNCIL COMMUNICATION

<b>DATE:</b>  04/19/04	<b>MOTION:</b>  Ratify and approve action taken by the City Manager on April 5, 2004 to authorize an emergency contract to Ellis & Ellis, Inc. in an amount not to exceed \$63,000.00 for the repair of the collapsed 36" wastewater interceptor at San Francisco and Ortiz, and authorize the City Manager to proceed with the emergency repair of three (3) manholes on the 30" line leading into the 36" for an additional \$147,000, and a total motion for \$210,000.	
<b>INITIATED BY:</b> Larry Dovalina, City Manager		<b>STAFF SOURCE:</b> Heberto L. Ramirez, Utilities Director
<b>PREVIOUS COUNCIL ACTION:</b> None		
<b>BACKGROUND:</b>  <u>EMERGENCY REPAIR AUTHORIZED:</u> On March 19, 2004 and continuing into the next week a collapse of a 36" wastewater interceptor has prevented the normal operations of the collection system. On March 23 <sup>rd</sup> , the use of temporary bypass pumps stopped all discharges into the Manadas and Zacate creeks. On April 4 after the heavy rains the temporary bypass was washed out again creating the initial discharge. Due to immediate response, the temporary pumping was reinstated immediately after the fall of the creek.  Upon the development of a scope of services, proposals were solicited from available contractors and we would like to recommend the emergency award of a contract not to exceed <b>\$63,000</b> to <b>Ellis &amp; Ellis, Inc.</b> from Laredo, Texas. Ellis & Ellis, Inc. are capable of starting immediately and working into the night.  It is expected the contractor would complete the initial phase of this repair by Wednesday, April 7, 2004 and a better understanding of the extent of the damages as well as the materials and time needs for its full repair would be provided to the City. The period for completion as specified under the contract is 30 hours of work. I foresee once the initial phase of re-instating flow through the 36" interceptor is completed we can eliminate the temporary pumping and plan out the permanent repair and/or replacement of manholes and lines.  The Texas Commission on Environmental Quality has been kept abreast of the actions towards the permanent repair of this plant, and notice of this contract if approved will be provided.  <u>AUTHORIZATION FOR REPAIR OF ADDITIONAL DEGRADED MANHOLES:</u> Upon surveying the manholes upstream and downstream from the initial collapsed manhole, it has been identified that three additional manholes have degraded sufficiently to require replacement to prevent a similar situation from occurring. We have requested Ellis and Ellis provide us with a proposal to provide the replacement and it has been determined the cost for replacement of the manholes would be \$49,000 per manholes or a total of \$147,000. Staff has determined this cost to be within reasonable ranges and recommends we proceed with this motion.  <b>Total cost would therefore be: \$63,000 (work completed) and \$147,000 for a total motion not to exceed \$210,000.</b>		
<b>FINANCIAL IMPACT:</b> The cost for repair of this emergency contract will be funded from reserves 559-4240-538-0278, Collection System Improvements		
<b>COMMITTEE RECOMMENDATION:</b>  N/A		<b>STAFF RECOMMENDATION:</b>  Recommend approve the motion



# COUNCIL COMMUNICATION

<b>DATE:</b>  04/19/04	<b>SUBJECT: MOTIONS</b> Consideration to award a lease purchase contract (FY04-070) to the LOW BIDDER, Philpott Motors, Port Neches, Texas, in the total amount of \$1,179,821.67, for the acquisition of forty seven (47), replacement police sedans; and authorizing the City Manager to sign any and all lease purchase documents.  Financing will be secured through Ford Municipal Lease Corporation. The City is requesting that these vehicles be delivered fully equipped with light bars, sirens, decals, and a fire suppression system for the rear fuel tank. Only the radios will be installed after the vehicles have been delivered to the City. This will expedite the process to activate units for patrol duty. The lease purchase payments have been allocated in the Police Trust fund.
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<b>INITIATED BY:</b> Cynthia Collazo, Assistant City Manager	<b>STAFF SOURCE:</b> Agustin Dovalina III, Chief of Police Francisco Meza, Purchasing Agent
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**PREVIOUS COUNCIL ACTION:** None.

**BACKGROUND:** The City received four bids for the purchase of forty seven (47) police sedans fully equipped with light bars, sirens, decals, and other accessories. The vehicles will be secured on a lease purchase program with financing being provided by Ford Motor Credit. The term of the lease calls for an initial payment of \$325,000.00 and three annual payments in the estimated amount of \$284,940.56. Delivery of the vehicles is anticipated within 150 days.

Vendor	Unit Cost	Principal Amount	Interest	Total Cost
Sames Motor Company	\$23,900.00 w/fire suppression system	\$1,123,300.00	\$56,521.67 (%)	\$1,179,821.67
Philpott Motors LTD.	\$23,424.00	\$1,100,928.00	\$54,937.68 (3.50%)	\$1,155,865.68
Philpott Motors LTD. Alternate bid.	\$23,324.00	\$1,096,228.00	\$54,604.91 (3.50%)	\$1,150,832.91
Lawrence Marshall Ford	\$23,943.00	\$1,125,321.00	\$56,664.77 (3.50%)	\$1,181,985.77
Lawrence Marshall Ford Alternate bid.	\$23,847.00	\$1,120,809.00	\$56,345.30 (3.50%)	\$1,177,154.30
Texoma Ford Inc.	\$24,777.00	\$1,164,519.00	\$59,440.08 (3.50%)	\$1,223,959.08
Texoma Ford Inc. Alternate bid.	\$24,177.00	\$1,136,319.00	\$57,443.45 (3.50%)	\$1,193,762.45
Texoma Ford Inc. Alternate bid.	\$24,477.00	\$1,150,419.00	\$58,441.76 (3.50%)	\$1,208,860.76

**FINANCIAL IMPACT:** An initial payment of \$325,000.00 will be paid this fiscal year. Funding is available in the Police Trust Fund budget.

Police Trust Fund – Lease Purchase Payment - Account Number: 665-0000-526-1050

<b>COMMITTEE RECOMMENDATION:</b>	<b>STAFF RECOMMENDATION:</b> It is recommended that this contract be awarded.
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Vendor	Unit Cost	Principal Amount	Interest	Total Cost
Sames Motor Company	\$23,900.00	\$1,123,300.00	\$56,521.67 (%)	\$1,179,821.67
Philpott Motors LTD.	\$23,424.00	\$1,100,928.00	\$54,937.68 (3.50%)	\$1,155,865.68
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Texoma Ford Inc. Alternate bid.	\$24,477.00	\$1,150,419.00	\$58,441.76 (3.50%)	\$1,208,860.76



## COUNCIL COMMUNICATIONS

<b>DATE:</b> 4/19/04	<b>SUBJECT: MOTION</b> Approving monthly adjustments to the tax roll. The amount to be adjusted for month of March 2004, represents an increase of \$5,628.84. These adjustments are determined by Webb County Appraisal District and by court orders.	
<b>INITIATED BY:</b> CYNTHIA COLLAZO, ASSISTANT CITY MANAGER		<b>STAFF SOURCE</b> ELIZABETH MARTINEZ TAX ASSESSOR-COLLECTOR
<b>PREVIOUS COUNCIL ACTION:</b> Approves tax roll each year.		
<b>BACKGROUND:</b> Under Section 26.09, Calculation of Tax, paragraph (e) of the Texas Property Tax Code, "the Assessor shall enter the amount of tax determined as provided by this section in the appraisal roll and submit it to the governing body of the unit for approval. The appraisal roll with amount of tax entered as approved by the governing body constitutes the unit's tax roll." This point was brought up by an opponent in a tax lawsuit. It was the recommendation of the City Attorney and the Tax Collections Attorney, that adjustments be approved each month, in addition to the tax roll being accepted with adjustments.		
<b>FINANCIAL:</b> Potential revenues will increase due to an increase in levy in the amount of \$5,628.84.		
<b>COMMITTEE RECOMMENDATION:</b>		<b>STAFF RECOMMENDATION:</b> Approval



## COUNCIL COMMUNICATIONS

<b>DATE:</b> 4/19/04	<b>SUBJECT: MOTION</b> Refund of property tax to the following taxpayers and companies: <ol style="list-style-type: none"><li>1. A refund in the amount of \$599.41 payable to Arnulfo &amp; Diana Santos due to a double payment. Account # 989-30001-010.</li><li>2. A refund in the amount of \$812.53 payable to Ophelia Castillo due to a double payment. Account # 990-10001-040.</li><li>3. A refund in the amount of \$630.46 payable to Wells Fargo Home Mortgage due to a double payment. Account # 969-00007-070.</li><li>4. A refund in the amount of \$1,253.10 payable to Wells Fargo Home Mortgage due to a double payment. Account # 987-21003-010.</li><li>5. A refund in the amount of \$556.08 payable to Wells Fargo Real Estate Tax Service due to a double payment. Account # 968-60012-310.</li><li>6. A refund in the amount of \$1,147.59 payable to Settlement Services Group due to a double payment. Account # 991-00007-020.</li><li>7. A refund in the amount of \$986.45 payable to Vicente &amp; Laura Salcedo due to a double payment. Account # 909-40003-240.</li></ol>
<b>INITIATED</b>	<b>STAFF SOURCE</b>
CYNTHIA COLLAZO, ASSISTANT CITY MANAGER	ELIZABETH MARTINEZ TAX ASSESSOR-COLLECTOR
<b>PREVIOUS COUNCIL ACTION:</b> City council has previously approved requests for refunds over \$500.00 as required by State Law.	
<b>BACKGROUND:</b> Every month the Webb County Appraisal District submits to the City of Laredo changes of values certified by the WCAD Review Board. Some of these changes require tax refunds be issued due to clerical errors, double assessments, over assessments, over 65 exemptions, did not exist on the 1st of the year, exempt property and combined properties. As per Section 26.15 (f) of the Texas Property Tax Code "If a correction decreases the tax liability of a property owner after the owner has paid the tax, the taxing unit shall refund to the property owner the difference between the tax paid and the tax legally due. As per Section 31.11 ( c ) of the Texas Property Tax Code "An application for a refund must be made within three years after the date of the payment or the taxpayer waives the right to the refund." A taxpayer may request a refund if an overpayment or an erroneous payment was made. As per Section 42.43 (a) of the Texas Property Tax Code "If the final determination of an appeal that decreases a property owner's tax liability occurs after the property owner has paid his/her taxes, the taxing unit shall refund to the property owner the difference between the amount of taxes paid and amount of taxes for which the property owner is liable."	
<b>FINANCIAL:</b> The city of Laredo will refund an amount of \$26,057.07. It will be paid from line item Revenue/Unapplied Payments. Account # 101-0000-222-0300.	
<b>COMMITTEE RECOMMENDATION:</b>	<b>STAFF:</b> Approval of these refunds as detailed above.

Date	REFUNDS CONTINUED
	<ol style="list-style-type: none"> <li data-bbox="300 220 1427 283">8. A refund in the amount of \$1,085.37 payable to Commerce Bank due to a double payment. Account # 926-10021-013.</li> <li data-bbox="300 283 1427 346">9. A refund in the amount of \$576.93 payable to First American Real Estate Tax Service due to a double payment. Account # 965-21003-124.</li> <li data-bbox="300 346 1427 409">10. A refund in the amount of \$1,495.76 payable to First American Real Estate Tax Service due to a double payment. Account # 909-30731-172.</li> <li data-bbox="300 409 1427 472">11. A refund in the amount of \$5,019.73 payable to First American Real Estate Tax Service due to a double payment. Account # 945-00811-310.</li> <li data-bbox="300 472 1427 535">12. A refund in the amount of \$608.04 payable to First American Real Estate Tax Service due to a double payment. Account # 983-10001-140.</li> <li data-bbox="300 535 1427 598">13. A refund in the amount of \$1,029.81 payable to First American Real Estate Tax Service due to a double payment. Account # 965-20008-112.</li> <li data-bbox="300 598 1427 661">14. A refund in the amount of \$688.46 payable to AEP Texas Central Company due to a double payment. Account # 900-90161-024.</li> <li data-bbox="300 661 1427 724">15. A refund in the amount of \$1,825.99 payable to AEP Texas Central Company due to a double payment. Account # 730-00198-010.</li> <li data-bbox="300 724 1427 787">16. A refund in the amount of \$1,080.00 payable to Transamerica Real Estate Tax Service due to a double payment. Account # 969-50001-160.</li> <li data-bbox="300 787 1427 850">17. A refund in the amount of \$514.66 payable to Alan D. &amp; Yolanda Robbins due to a double payment. Account # 923-00029-588.</li> <li data-bbox="300 850 1427 913">18. A refund in the amount of \$5,139.96 payable to Orix Capital Markets, LLC due to a double payment. Account # 948-30030-009.</li> <li data-bbox="300 913 1427 1079">19. A refund in the amount of \$1,006.74 payable to The Laredo National Bank due to to a double assessment as certified by the Webb County Appraisal Review Board. Supplement # 6, Cause # 2003-3771. Account # 989-52001-180.</li> </ol>



## **STAFF REPORTS**

- A. Presentation on the Plan of Finance by Noe Hinojosa of Estrada-Hinojosa & Company, Financial Consultants, on a proposed sale of various revenue bonds, tax exempt contractual obligation bonds and refunding bond issues.





## **GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS**

### **A. Request by Mayor Pro-Tempore John C. Galo**

1. Motion to add Market Street from Meadow to US Highway 83 South to the recycling program. (Co-Sponsor Hector J. Garcia)



## COUNCIL COMMUNICATION

<b>DATE:</b>  04-19-2004	<b>SUBJECT: EXECUTIVE SESSION</b> Request for executive session pursuant to Texas Government Code Section 551.072 in order to deliberate on the pending negotiations for the acquisition of real property in downtown Laredo, because deliberation in an open meeting would have a detrimental effect on the position of the City Council in negotiations with third persons; and return to open session for possible action.	
<b>INITIATED BY:</b> Larry Dovalina City Manager		<b>STAFF SOURCE:</b> Jaime L. Flores, City Attorney
<b>PREVIOUS COUNCIL ACTION:</b>		
<b>BACKGROUND:</b>		
<b>FINANCIAL:</b>		
<b>RECOMMENDATION:</b> N/A		<b>STAFF RECOMMENDATION:</b> N/A



**LAREDO MUNICIPAL HOUSING CORPORATION**

<b>DATE:</b> 04/19/04	<b>SUBJECT: MOTION</b> Consideration to award contract FY04-065 to the sole bidder, Cantu Electric, Inc., Laredo, Texas in the amount of \$187,316.18 for removal and replacement of electrical service entrances at 148 units at the Jose A. Flores apartment complex. All the electrical service entrances are being upgraded to current code requirements. Funding is available in the Laredo Municipal Housing Corporation budget.
<b>INITIATED BY:</b> Larry Dovalina, City Manager	<b>STAFF SOURCE:</b> Erasmio Villarreal, Community Development Department Director Francisco Meza, Purchasing Agent
<b>PREVIOUS BOARD ACTION:</b> None	
<b>BACKGROUND:</b> A sole bid was received for awarding a contract for replacing the electrical service entrances to 148 apartment units at the Jose A. Flores apartment complex. In addition AEP will install new underground cables to the transformers. The scope of services includes but is not limited to the following: removal of existing service entrance and install a new, 200 AMP service entrance including sub panel at each duplex; install one interior breaker box with 24 spaces.  Bid Summary  Cantu Electric Inc.                      \$187,316.18 Laredo, Texas  \$1,265.65 per unit.	
<b>FINANCIAL:</b> Funding is available in the LMC budget. Laredo Municipal Housing Corporation – Capital Outlay Improvements to Buildings Account Number: 555-3910-545-9201	
	<b>STAFF RECOMMENDATION:</b> Staff recommends that this contract be authorized.



# CITY COUNCIL SITTING AS THE MASS TRANSIT BOARD

<b>DATE:</b> 04-19-04	<b>SUBJECT: MOTION</b> Consideration to authorize the purchase of a Pem Encoder Machine and Odyssey Spare Parts/Test equipment from the sole source vendor, GFI Genfare in Elk Grove Village, Illinois in total amount of \$78,252.74. The spare parts and equipment will be used for backup and for maintaining the electronic Fare collection fareboxes. Funding is available from federal grant TX-90-456.	
<b>INITIATED BY:</b> Larry Dovalina, City Manager		<b>STAFF SOURCE:</b> Thomas N. Lucek, General Manager Francisco Meza, Purchasing Agent
<b>PREVIOUS BOARD ACTION:</b> Motion was approved to award contract FY03-105 on October 20, 2003 to the lowest responsible bidder, GFI Genfare for the purchase of fifty (50) replacement electronic fareboxes		
<b>BACKGROUND:</b> In order to properly maintain these units, we are requesting to have these items purchased as recommended. The spare parts are OEM design and quality designed specifically for the Odyssey farebox system. No other company manufactures a ticket processing unit which integrates with the Odyssey fareboxes installed on the buses. The GFI PEM printing/encoding machine will be used to encode the magnetic strip on pre-sale tickets that are currently being sold to agencies in large quantities.  Spare Parts & Equipment.....\$57,452.74 PEM Encoding Machine.....\$20,800.00  (Please see enclosures) Attachment A – Sole Source Certification Attachment B – Spare Parts/Equipment Listing Attachment C – PEM Equipment		
<b>FINANCIAL:</b> Funding is available in the FTA Capital Grant #456 Machinery & Equipment account number 518-5196-565-9001.		
<b>COMMITTEE RECOMMENDATION:</b> Pending Committee approval at it's scheduled meeting of April 14, 2004.		<b>STAFF RECOMMENDATION:</b> Recommends approval of this Motion.



## ATTACHMENT A



751 PRATT BOULEVARD  
ELK GROVE VILLAGE IL 60007  
TEL (847) 593-8855 FAX (847) 593-1824

Tuesday, March 30, 2004  
GFI Ref: 403ZQ016

Robert J. Garza  
Laredo Metro, Inc  
401 Scott Street  
Laredo, TX 78040-4902  
Fax 956-795-2317

Re: Spare Parts Sole Source

Dear RJ:

GFI Genfare hereby certifies that the prices quoted to Laredo Metro are comparable to those offered to other GFI clients in like quantities and configurations.

GFI is the only manufacturer of the system referred to as the Odyssey Validating Farebox, the Ticket Reader/Issuing Machine (TRiM), and other related components. No other company manufactures a ticket processing unit which integrates with the fareboxes installed on your busses, nor with the data and revenue collection system which is utilized with the farebox.

GFI supports its fare collection systems with a complete array of services including spare parts supply. These parts are OEM design and quality, and are, in most cases, designed specifically for use in the Odyssey system by GFI engineers.

If you have any other questions or concerns, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Laurence Chefalo', written over a horizontal line.

Laurence Chefalo  
Manager, System Sales

## ATTACHMENT B



251 PRATT BOULEVARD  
ELEN GROVE VILLAGE, IL 60007  
TEL (847) 593-8855 FAX (847) 593-1821

March 11, 2004  
GFI Ref: 403ZQ005

Robert J. Garza  
Laredo Metro, Inc  
401 Scott Street  
Laredo, TX 78040-4902  
Fax: 958-795-2317

Re: Odyssey Spare Parts

Dear RJ:

I trust that the implementation of the new fareboxes is proceeding well. Lawrence had told me that outside of the data system computer itself, the installation had gone well. He has also said that the computer itself was repaired.

Naturally, he had also discussed spare parts as required for the new fareboxes. In our original conversations, the LT team had indicated that two of the fareboxes were for backup and spare use; however, I understand that Lawrence and the crew had installed them on busses. This would make the procurement of spare parts a significant matter to be addressed quickly. I had seen the list you forwarded to Jose Granados based upon your discussions with Lawrence. While these components were all significant elements, there were a few items left unaddressed and several quantities were likely inadequate.

GFI has created a number of recommended spare parts kits for use in new installations. These kits are offered at reduced prices for initial spare parts orders only. I have attached the listings and recommended quantities for your installation. These include categories for the farebox, card processor, consumables, etc. I have indicated a zero quantity for the receiver spare parts kit, since you likely have a stock of components for that item.

If you have any questions, feel free to contact me at (847) 593-8855, ext. 430.

Sincerely,

A handwritten signature in cursive script that reads 'Laurence Chefalo'.

Laurence Chefalo  
Manager, System Sales



## 10. Optional Component Pricing

Item	Quantity	Description	Unit Price	Total Price
1	10	Waterproof Covers for Fareboxes	\$ 95.00	\$ 950.00
2	4	Cashbox Carts	\$ 600.00	\$ 2,400.00
3a	1	Stationary Collection Vault	\$ 30,100.00	\$ 30,100.00
		or		
3b	1	Mobile Collection Vault with Receiver	\$ 32,100.00	\$ 32,100.00
4	1	Audit Unit	\$ 8,900.00	\$ 8,900.00
5	1	Portable Data Unit	\$ 16,500.00	\$ 16,500.00
6	1	PEM	\$ 20,800.00	\$ 20,800.00
7	1	Odyssey Test Simulator	\$ 11,750.00	\$ 11,750.00
8	1	Portable Electronic Key	\$ 875.00	\$ 875.00
9	1	Training Mobile Vault System	\$ 32,100.00	\$ 32,100.00

**CITY OF LAREDO - BID TABULATION**  
**Police Holsters**  
**FY04-052**

Item	Qty.	CODE BLUE		G.T.		Distributors		STERLING UNIFORMS		Don	Hume	JJJ	Safety
		Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
1 Raptor Holster Right Hand	230	\$ 111.00	\$ 25,530.00	\$ 89.48	\$ 20,580.40	\$ 97.05	\$ 22,321.50	No Bid				\$ 113.00	\$ 25,990.00
2 Raptor Holster Left Hand	8	\$ 111.00	\$ 888.00	\$ 89.48	\$ 715.84	\$ 97.05	\$ 776.40					\$ 55.00	\$ 440.00
3 Level III (old style)Right Hand	240	\$ 111.00	\$ 26,640.00	\$ 89.48	\$ 21,475.20	\$ 97.05	\$ 23,292.00					\$ 113.00	\$ 27,120.00
4 Level III (old style) Left Hand	15	\$ 111.00	\$ 1,665.00	\$ 89.48	\$ 1,342.20	\$ 97.05	\$ 1,455.75					\$ 55.00	\$ 825.00
5 Belt Loop for 560 Right Hand	110	\$ 16.25	\$ 1,787.50	\$ 12.38	\$ 1,361.80	\$ 14.93	\$ 1,642.30					\$ 4.75	\$ 522.50
6 Belt Loop for Left hand	10	\$ 16.25	\$ 162.50	\$ 12.38	\$ 123.80	\$ 14.93	\$ 149.30					\$ 4.75	\$ 47.50
Grand Total			<u>\$ 56,673.00</u>		<u>\$ 45,599.24</u>		<u>\$ 49,637.25</u>						<u>\$ 54,945.00</u>
		Delivery 13-45 days		Delivery 13-45 days		Delivery 13-45 days							

# CITY OF LAREDO

## CITY COUNCIL MEETING

A-2004-S-04

## CITY COUNCIL CHAMBERS

1110 HOUSTON STREET

LAREDO, TEXAS 78040

APRIL 19, 2004

5:30 P.M.

## SUPPLEMENTAL AGENDA

### I. MOTION (This item replaces item #37 on regular City Council agenda)

1. Consideration to award a lease purchase contract (FY04-070) to the low bidder, Sames Motor Company, Laredo, Texas, in the total amount of \$1,179,821.67 for the acquisition of forty seven (47) replacement police sedans; and authorizing the City Manager to sign any and all lease purchase documents.
  - a. Financing will be secured through Ford Municipal Lease Corporation. The City is requesting that these vehicles be delivered fully equipped with light bars, sirens, decals, and a fire suppression system for the rear fuel tank. Only the radios will be installed after the vehicles have been delivered to the City. This will expedite the process to activate units for patrol duty. The lease purchase payments have been allocated in the Police Trust fund.

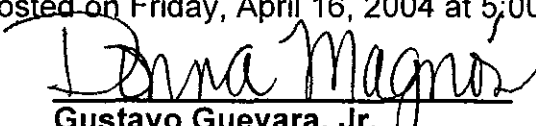
### II. EXECUTIVE SESSION

The City Council hereby reserves the right to go into executive session at any time during this public meeting, if such is requested by the City Attorney or other legal counsel for the City, pursuant to his or her duty under Section 551.071(2) of the Government Code, to consult privately with his or her client on an item on the agenda, or on a matter arising out of such item.

2. Request for Executive Session pursuant to Texas Government Code Section 551.072 in order to deliberate on the pending contract for the acquisition of the Slaughter Farm property, which is subject of Resolution 2004-R-037, Item XI (22) of agenda, because deliberation in an open meeting would have a detrimental effect on the position of the City Council in negotiations with third persons; and return to open session for possible action.

### III. ADJOURNMENT

This notice was posted at the Municipal Government Offices, 1110 Houston Street, Laredo, Texas, at a place convenient and readily accessible to the public at all times. Said notice was posted on Friday, April 16, 2004 at 5:00 p.m.

  
Gustavo Guevara, Jr.  
City Secretary

# COUNCIL COMMUNICATION

<b>DATE:</b>  04/19/04	<b>SUBJECT: MOTIONS</b> Consideration to award a lease purchase contract (FY04-070) to the LOW BIDDER, Sames Motor Company, Laredo, Texas, in the total amount of \$1,179,821.67, for the acquisition of forty seven (47), replacement police sedans; and authorizing the City Manager to sign any and all lease purchase documents.  Financing will be secured through Ford Municipal Lease Corporation. The City is requesting that these vehicles be delivered fully equipped with light bars, sirens, decals, and a fire suppression system for the rear fuel tank. Only the radios will be installed after the vehicles have been delivered to the City. This will expedite the process to activate units for patrol duty. The lease purchase payments have been allocated in the Police Trust fund.			
<b>INITIATED BY:</b> Cynthia Collazo, Assistant City Manager		<b>STAFF SOURCE:</b> Agustin Dovalina III, Chief of Police Francisco Meza, Purchasing Agent		
<b>PREVIOUS COUNCIL ACTION:</b> None.				
<b>BACKGROUND:</b> The City received four bids for the purchase of forty seven (47) police sedans fully equipped with light bars, sirens, decals, and other accessories. The vehicles will be secured on a lease purchase program with financing being provided by Ford Motor Credit. The term of the lease calls for an initial payment of \$325,000.00 and three annual payments in the estimated amount of \$284,940.56. Delivery of the vehicles is anticipated within 150 days.				
<b>Vendor</b>	<b>Unit Cost</b>	<b>Principal Amount</b>	<b>Interest</b>	<b>Total Cost</b>
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<b>FINANCIAL IMPACT:</b> An initial payment of \$325,000.00 will be paid this fiscal year. Funding is available in the Police Trust Fund budget. Police Trust Fund – Lease Purchase Payment - Account Number: 665-0000-526-1050				
<b>COMMITTEE RECOMMENDATION:</b>		<b>STAFF RECOMMENDATION:</b> It is recommended that this contract be awarded.		

<b>Vendor</b>	<b>Unit Cost</b>	<b>Principal Amount</b>	<b>Interest</b>	<b>Total Cost</b>
Sames Motor Company includes fire suppression system	\$23,900.00	\$1,123,300.00	\$56,521.67 (%)	\$1,179,821.67
Philpott Motors LTD. No fire suppression system	\$23,424.00	\$1,100,928.00	\$54,937.68 (3.50%)	\$1,155,865.68
Philpott Motors LTD. Alternate bid. No fire suppression system	\$23,324.00	\$1,096,228.00	\$54,604.91 (3.50%)	\$1,150,832.91
Lawrence Marshall Ford includes fire suppression system	\$23,943.00 \$ 458.00 \$24,401.00	\$1,125,321.00	\$56,664.77 (3.50%)	\$1,181,985.77
Lawrence Marshall Ford Alternate bid. includes fire suppression system	\$23,847.00 \$ 458.00 \$24,305.00	\$1,120,809.00	\$56,345.30 (3.50%)	\$1,177,154.30
Texoma Ford Inc. includes fire suppression system	\$24,777.00 \$ 2,800.00 \$27,577.00	\$1,164,519.00	\$59,440.08 (3.50%)	\$1,223,959.08
Texoma Ford Inc. Alternate bid. includes fire suppression system	\$24,177.00 \$ 2,800.00 \$26,977.00	\$1,136,319.00	\$57,443.45 (3.50%)	\$1,193,762.45
Texoma Ford Inc. Alternate bid. includes fire suppression system	\$24,477.00 \$ 2,800.00 \$27,277.00	\$1,150,419.00	\$58,441.76 (3.50%)	\$1,208,860.76

## COUNCIL COMMUNICATION

<b>DATE:</b>  04-19-2004	<b>SUBJECT: EXECUTIVE SESSION</b> Request for executive session pursuant to Texas Government Code Section 551.072 in order to deliberate on the pending contract for the acquisition of the Slaughter Farm property, which is the subject of Resolution 2004-R-037, Item XI(22) of agenda, because deliberation in an open meeting would have a detrimental effect on the position of the City Council in negotiations with third persons; and return to open session for possible action.
<b>INITIATED BY:</b> Larry Dovalina City Manager	<b>STAFF SOURCE:</b> Jaime L. Flores, City Attorney
<b>PREVIOUS COUNCIL ACTION:</b>	
<b>BACKGROUND:</b>	
<b>FINANCIAL:</b>	
<b>RECOMMENDATION:</b> N/A	<b>STAFF RECOMMENDATION:</b> N/A